



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.02.2025

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MS JUSTICE R.POORNIMA**

W.P(MD)No.4932 of 2025

Juliet Arokiya Vinnarasi Jesuraj

... Petitioner

.Vs.

1.The Deputy Inspector General of Prison,
Office of the Deputy Inspector General of Prison
and Correctional Services,
Madurai Range,Madurai Central Prison Campus,
New Jail Road,Madurai.

2.The Superintendent of Prison,
Central Jail, Madurai.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court for issuance of a Writ of Certiorarified Mandamus directing the respondents to call for the records



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pertaining to the impugned order in No.E687364/Tha.Ku.2/2025, dated 10.2.2025 and to quash the same as bad in law and further to direct the respondents 1 and 2 to grant emergency leave without escort for the period of 15 days to the Petitioner's husband namely Jeba @ Jebastin(CP.No.6379) who is languishing in Madurai Central Prison as Life Convict by considering the Petitioner's representation, dated 24.01.2025.

For Petitioner : Dr.Lakshmi Prasanna

For Respondents : Mr.A.Thiruvadi Kumar
Addl.Public Prosecutor

ORDER

DR.G.JAYACHANDRAN., J
AND
R.POORNIMA.,J

The wife of the life convict had sought for emergency leave citing the ill-health of her husband's father and to make arrangements for her daughter's education.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.



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3.The request of the Petitioner been considered by the prison authorities and the same was rejected on 10.02.2025 based on the report received from the Probationary Officer and local Police. The said rejection order is under challenge in the present Writ Petition, seeking a Writ of Certiorarified Mandamus.

4.The learned counsel for the Petitioner states that the father of the detenue is badly in need of his assistance due to his ill health and the entire members of the family are now confined in prison and therefore, emergency leave ought to have been granted. Further, the report of the Probationary Officer and local Police not been properly considered by the Superintendent of Prison, Central Jail, Madurai.

5.The learned Additional Public Prosecutor appearing for the respondents submit that due to animosity between two groups, murder was committed and the husband of the Petitioner been found guilty along with other accused and undergoing life imprisonment. The appeal in respect of them in C.A.No.34 of 2024



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is pending before this Court. The report of the jurisdictional Police clearly reveals that Alex, brother of the convict for whom Emergency Leave is sought is also a life convict and his life is at risk at the hands of the rival groups. That apart, father of the life convict Amulraj had some ailment, who was admitted as inpatient for three days at Devi Sugam Nursing Home and got discharged after three days and he is hale and healthy at present.

6. This Court, on perusing the impugned order finds that due to rivalry between two groups, crime been committed and the perpetrator of the crime are undergoing life imprisonment. Further, the victim group who have the potential to take revenge against the perpetrator of the crime appears to endanger the life of the life convict/Jeba @ Jebastin and his brother Alex. Taking into consideration the potential threat to Jeba @ Jebastin, this Court holds that the order of the Jail Superintendent is backed by reason, which needs no interference by this Court.



7.As a result, the Writ Petition stands dismissed.

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[G.J.,J.] [R.P.,J.]
25.02.2025

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
vsn

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Dindigul District.

Copy to

The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.G.JAYACHANDRAN, J.
and
R.POORNIMA, J.

vsn

JUDGMENT MADE IN
W.P(MD)No.4932 of 2025

25.02.2025