

W.P(MD)No.7424 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.03.2025

CORAM :

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

W.P(MD)No.7424 of 2025

Sandilyan

... Petitioner

vs.

1. The Deputy Inspector General of Police (Prison),
Madurai Range,
Madurai.

2. The Superintendent of Police,
District Jail, Perurani,
Thoothukudi District.

3. The Intelligent Officer,
Directorate of Revenue Intelligent Office,
Thoothukudi.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant 2 days emergency leave for the petitioner's brother namely Kreettan S/o.Nigahiyush aged about 46 years remand prisoner under the 2nd respondent.



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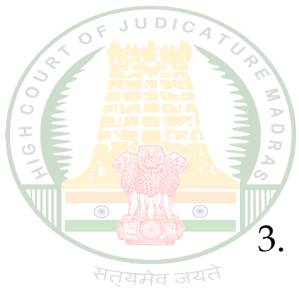
For Petitioner : Mr.D.Srinivasa Raghavan
For R1 to R3 : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

(Order of the Court was made by **J.NISHA BANU, J.**)

The prayer in this writ petition is for issuance of a Writ of Mandamus, directing the respondents to grant two days emergency leave to the petitioner's brother namely, Kreettan, who is a remand prisoner remanded in the 2nd respondent / District Jail.

2. The learned counsel appearing for the petitioner would state that the remand prisoner is his brother and his wife, namely, Jayaslin passed away at midnight on 15.03.2025 and her funeral is scheduled to be held in Aalandhalai Village at 04.00 p.m on 17.03.2025. Though the petitioner made an application on 16.03.2025 to the 2nd respondent seeking to grant two days emergency leave to his brother, it was not considered. Hence, this writ petition.



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3. The learned Additional Public Prosecutor, on instructions, submitted that the remand prisoner is not entitled to emergency leave and he may be granted interim bail for one day in order to attend the funeral of his wife with escort, at the cost of the petitioner. He further submitted that today(17.03.2025), the remand prisoner is brought to Madurai, for attending the hearing of the case. Therefore, as soon as he is brought back to the 2nd respondent/District Jail from Madurai, he may be released on interim bail.

4. Considering the submissions made by the learned Additional Public Prosecutor, this Writ Petition is disposed of with the following directions:

(i) The remand prisoner namely, Kreettan S/o.Nigahiyush is granted interim bail for one day to attend the funeral of his wife.

(ii) The remand prisoner shall be released by the 2nd respondent on interim bail, by today evening as soon as he reaches the 2nd respondent/District Jail, to attend his wife's funeral with sufficient escort at the cost of the petitioner.



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(iii) The remand prisoner, after attending the funeral,
shall surrender before the 2nd respondent by 04.00 p.m of
18.03.2025.

5. Post the matter for reporting compliance on 19.03.2025.

[J.N.B, J.] [S.S.Y, J.]
17.03.2025

Index : Yes / No
Neutral Citation : Yes / No
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Note : Issue order copy today.

To

1. The Deputy Inspector General of Police (Prison),
Madurai Range,
Madurai.

2. The Superintendent of Police,
District Jail, Perurani,
Thoothukudi District.

3. The Intelligent Officer,
Directorate of Revenue Intelligent Office,
Thoothukudi.



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J.NISHA BANU, J.
AND
S.SRIMATHY, J.

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ORDER MADE IN
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DATED : 17.03.2025