



W.P(MD)No.8311 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

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Selvi

... Petitioner

vs.

1. The State Represented by Its
The Secretary to Government of Tamil Nadu,
Home Department,
Fort St. George,
Chennai -600 009.

2. The Deputy Inspector General of Prison,
Trichy Range,
Trichy Central Prison,
Trichy - 620 020.

3. The Superintendent
Trichy Central Prison,
Trichy - 620 020.

4. The Superintendent of Police,
Office of Superintendent of Police,
Trichy - 620 017.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records



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pertaining to the Impugned Order bearing No.114/Mu.Vu/2025 dated 23.02.2025 passed by the 2nd respondent and quash the same and consecutively direct the respondents to grant ordinary leave for 40 days without escort to the detenu Ramachandran S/o.Subramani aged about 42 years, Convict No.21670, confined at Central Prison, Trichy.

For Petitioner : Mr.S.Manoharan

For Respondents: Mr.A.Thiruvadi Kumar

Additional Public Prosecutor

ORDER

[Order of the Court was made by **A.D.JAGADISH CHANDIRA, J.**]

This writ petition is filed challenging the rejection order dated 23.02.2025 passed by the 2nd respondent rejecting the request of the petitioner seeking for ordinary leave for 40 days for her husband, to quash the same and consequently direct the respondents to grant ordinary leave for 40 days without escort to the detenu Ramachandran S/o.Subramani, aged about 42 years, Convict No.21670, confined at Central Prison, Trichy.

2. The learned counsel appearing for the petitioner would submit that the petitioner has to arrange for the education and



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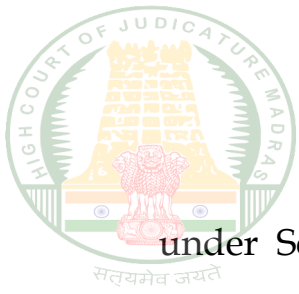
counselling her children. She had applied for leave for her husband who

is in prison, whereas, the respondents have rejected the request for leave.

Learned counsel further submitted that the petitioner's husband has completed 8 years of incarceration and hence he is entitled for ordinary leave.

3. The respondents have filed a detailed counter affidavit. The learned Additional Public Prosecutor appearing for the respondents would submit that since the petitioner has been convicted for offences under Sections 394 read with 397 IPC and finding that the petitioner has involvement in another case in Crime No.87 of 2024 registered on the file of Jeeyapuram Police Station for the offences under Sections 147, 148, 302, 120B, 294(b), 341, 149 and 323 IPC, the respondents have rejected the request. However, he would fairly concede that after completion of the investigation, it is found that the petitioner's husband is not an accused in Crime No.87 of 2024.

4. Taking into consideration the fact that the petitioner's husband is not entitled for ordinary leave, since he has been convicted



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under Sections 394 read with 397 IPC, we are inclined to grant him

emergency leave for a period of six days from 16.06.2025 to 21.06.2025

with escort, on the following conditions:

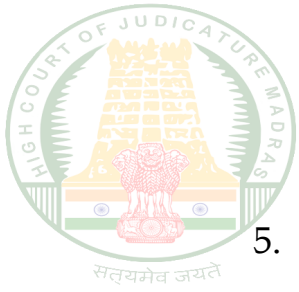
(i) The convict prisoner namely, Ramachandran S/o. Subramani (Convict No.21670) now detained in the Central Prison, Trichy, is granted emergency leave for six days from 16.06.2025 to 21.06.2025.

(ii) The convict prisoner shall be released from the prison at 5.00 p.m on 15.06.2025 and he shall return back to the prison at 10.00 a.m on 22.06.2025.

(iii) Considering the submission of the petitioner's counsel that the convict prisoner has to go before the school authorities for his children's education, the escort police personnel shall be in civil dress.

(iv) The entire escort expenses shall be borne by the petitioner.

(v) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual.



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5. With the above direction, the Writ Petition stands allowed.

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[A.D.J.C., J.] [R.P., J.]
09.06.2025

Index : Yes / No

Neutral Citation : Yes / No

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To:

1. The Secretary to Government of Tamil Nadu,
Home Department,
Fort St. George,
Chennai -600 009.

2. The Deputy Inspector General of Prison,
Trichy Range,
Trichy Central Prison,
Trichy - 620 020.

3. The Superintendent
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Trichy - 620 017.

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



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A.D.JAGADISH CHANDIRA, J.
AND
R.POORNIMA, J.

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ORDER MADE IN
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DATED : 09.06.2025