



WP(MD)No.14072 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.05.2025

CORAM:

**THE HONOURABLE MR JUSTICE M.DHANDAPANI
AND
THE HONOURABLE MR.JUSTICE R.SAKTHIVEL**

**W.P.(MD)No.14072 of 2025
and W.M.P.(MD)No.10199 of 2025**

P.Marudambal

: Petitioner

Vs.

1. The State Rep by Its,
The Deputy Inspector General of Prison,
Madurai Range , Madurai - 625001.
2. The Superintendent,
Madurai Central Prison, Madurai - 627007.
3. The Superintendent of Police,
Office of Superintendent of Police,
Madurai.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order bearing No. 355/Vu.Tha.2/2025, dated 28.03.2025, passed by the 1st respondent and quash the same and consecutively direct the



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respondents to grant ordinary leave for 40 days without escort to the detinue, Palanikumar S/o.Samayamuthu, aged about 45 years bearing CT.No.5216 confined at Central Prison , Madurai.

For Petitioner : Mr.S.Manoharan

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

ORDER

[Order of the Court was made by **M.DHANDAPANI, J.**]

This Writ Petition has been filed in the nature of Certiorarified Mandamus, seeking to set aside the order dated 28.03.2025, passed by the first respondent and grant ordinary leave for 40 days without escort to the husband of the petitioner viz., Palanikumar S/o.Samayamuthu, aged about 45 years, Convict Prisoner No.5216, who is now confined at Central Prison, Madurai.

2. The learned appearing for the petitioner would submit that the husband of the petitioner has been convicted in S.C.No.264 of 2005, by the learned Additional District and Sessions Judge, FTC -III, Coimbatore,



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by judgment dated 31.03.2006 for the offences punishable under Sections 458 and 396 of IPC and sentenced to undergo life imprisonment. He further submitted that the petitioner arranged marriage for her daughter viz., P.M.Anjana, and the wedding reception is going to be held on 05.06.2025, followed by the marriage on 06.06.2025 at Chennai and therefore, the presence of the petitioner's husband is necessary to make arrangements for marriage and provide support in all means. Hence, the petitioner made a representation on 19.03.2025 seeking to grant ordinary leave for 40 days. The said representation was rejected by the first respondent. Challenging the same, the petitioner has filed this Writ Petition.

3. The learned Additional Public Prosecutor appearing for the respondents would submit that the husband of the petitioner is in prison for 17 years and he has availed 30 days ordinary leave on an earlier occasion and no other previous case is pending against him.

4. Considering the facts and circumstances of the case and also considering the fact that the husband of the petitioner is in prison for more than 17 years and nothing was brought to us with regard to the illegal or



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improper activities of the convict prisoner, we are inclined to grant 25 days ordinary leave to the husband of the petitioner.

5. Accordingly, the impugned order passed by the first respondent dated 28.03.2025 is set aside and the Writ Petition is allowed. The convict prisoner viz., Palanikumar S/o.Samayamuthu, aged about 45 years bearing CT.No.5216, is granted ordinary leave for a period of 25 days without escort from 20.05.2025 (10.00 a.m.) to 14.06.2025. The convict prisoner shall sign before the jurisdictional police station on every Friday at 10.00 a.m., without fail. The convict prisoner shall surrender on 15.06.2025 by 05.00 p.m. before the second respondent. Further, during the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual. Consequently, connected miscellaneous petition is closed.

[M.D.I.,J.] & [R.S.V.,J.]

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Neutral Citation : Yes/No
Index : Yes/No
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Madurai Bench of Madras High Court,
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