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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2025

CORAM:

THE HONOURABLE **MR.JUSTICE A.D.JAGADISH CHANDIRA**

AND

THE HONOURABLE **MS.JUSTICE R.POORNIMA**

W.P.(MD)No.14579 of 2025

Sarolin Mangalavalli ... Petitioner

-Vs-

1.The Deputy Inspector General of Prison,
O/o.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 Commissioner of Police,
O/o. The Commissioner of Police,
Tuticorin District. ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records passed by the Respondent No.1 in No.313/cj.2/2025 dated 23.03.2025 and quash the same as bad in law and

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further direct the Respondent No.1 and 2 to grant ordinary leave to the petitioner's son namely Gabriel, S/o.Jeyabal (CP No.609) for the period of 30 days by considering the petitioner's representation dated 04.02.205.

For Petitioner : M/s.A.Komara

For Respondents : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

ORDER

(Order of the Court was made by A.D.JAGADISH CHANDIRA,J.)

The order dated 23.03.2025, passed by the first respondent, rejecting the petitioner's request for grant of ordinary leave, is under challenge in this writ petition.

2. The writ petitioner is the mother of the life convict and she is suffering with age related problems and to share the property in between her two sons, she has sought for thirty days (30) days ordinary leave to the life convict.

3.The learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that since the petitioner's son has been convicted under the NDPS Act for involvement of commercial quantity and her

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request for ordinary leave has been rejected in view of bar under Rule No.21(h)(d) of the Tamil Nadu Suspension of Sentence Rules 1982.

4.Taking into consideration the request of the petitioner and also taking into sympathetic and humanitarian consideration, this Court is inclined to direct the respondents to grant six (6) days emergency leave to the petitioner's son with single escort.

5. In the result,

(i) The writ petition is allowed.

(ii) The impugned order dated 23.03.2025 passed by the first respondent, is set aside.

(iii) The convict prisoner namely, Gabriel, S/o.Jeyabal (C.P.No.609) now detained in the Central Prison, Madurai, is granted emergency leave for 6 days from 19.06.2025 to 24.06.2025.

(iv) The convict prisoner shall be released from the prison at 5.00 p.m on 18.06.2025 and he shall return back to the prison at 10.00 a.m on 25.06.2025.

(v) Single escort shall be provided to accompany the

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convict prisoner.

(vi) The escort charges shall be borne by the petitioner and if necessary, the same shall be adjusted from the income earned by the convict prisoner during the imprisonment period.

(vii) The petitioner shall produce all necessary documents, along with a copy of this order, before the jail authorities.

(viii) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the jail manual.

[A.D.J.C., J.] & [R.P., J.]
16.06.2025

NCC : Yes / No
Index : Yes / No
am

Note:Issue order copy on 17.06.2025

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To

1.The Deputy Inspector General of Prison,
Madurai Range, Madurai Central Prison Campus,
New Jail Road, Madurai.

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

3.The Commissioner of Police,
Tuticorin District.

4.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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