



W.P.(MD) No.14785 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.(MD)No.14785 of 2025

Bala

... 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 District.

3.The Superintendent of Police,
O/o.The Superintendent of Police,
Tirunelveli.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, directing the respondents to call for the records pertaining to the impugned order in No.936370/Thaku.2/2025 dated 30.04.2025

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issued by the respondent No.2 and quash the same as bad in law and further direct the respondent Nos.1 and 2 to grant emergency leave without escort to the period of 15 days to her husband namely Komban, S/o.Isakki Devar, by considering the petitioner's representation dated 0n 18.04.2025.

For Petitioner : Mr.SMA.Jinnah
For Respondents : Mr.S.Ravi,
Additional Public Prosecutor

ORDER

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

The order dated 30.04.2025, passed by the second respondent, rejecting the petitioner's request for grant of ordinary leave, is under challenge in this writ petition.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents

3.When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that the petitioner has sought for emergency leave for 15 days for her husband, but the authorities holding that emergency leave cannot be given at a stretch for 15 days and also finding that four cases are pending trial against the convict prisoner have rejected the request of the petitioner.

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4.The learned counsel appearing for the petitioner would submit that after the rejection order, three cases have been disposed of and as on date, one case is pending for trial against the convict in S.S.C.No.223 of 2024 on the file of the Principal District Judge, Tirunelveli and the next day of hearing is 09.07.2025. Hence, he prays for emergency leave.

5.Recording the submission made by the learned Additional Public Prosecutor and considering the purpose for which the leave sought is for, we are inclined to direct the respondents to grant six days emergency leave to the petitioner's husband after 10.07.2025 without escort.

6. Accordingly, the writ petition is disposed of with the following directions:

- (i) The respondents are directed to grant six days emergency leave to the petitioner's husband, namely, Komban, S/o.Isakki Devar, from 12.07.2025 to 17.07.2025. The Convict prisoner shall be released from the prison on 11.07.2025 at 05.30 p.m.
- (ii) He shall report back to the Superintendent of Prison, Madurai / 2nd respondent, by 18.07.2025 at 10.30 a.m.,



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- (iii) During the leave period, the convict prisoner shall appear before the Pettai Police Station, Tirunelveli, daily at 07.00 p.m., without fail.
- (iv) The petitioner shall produce all necessary documents, along with a copy of this order, before the jail authorities,
- (v) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual.
- (vi) No costs. Consequently, connected M.P is closed.

6.List the matter on 21.07.2025 “for reporting compliance”.

[A.D.J.C., J.] & [G.A.M., J.]
03.07.2025

NCC : Yes / No
Index : Yes / No
NS

Note:Issue order copy on 10.07.2025



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To

- 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 District.
- 3.The Superintendent of Police,
O/o.The Superintendent of Police,
Tirunelveli.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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A.D.JAGADISH CHANDIRA, J.

AND

G.ARUL MURUGAN, J.

Ns

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