



W.P.CRL(MD)No.53 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.06.2025

CORAM:

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

W.P.CRL(MD)No.53 of 2025

Mala

... 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,
Madurai Central Jail,
New Jail Road,
Madurai District.

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

... 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 in No.563/vu.tha.2/2025 dated 26.05.2025 issued by the respondent No.1 and quash the same as bad in law and further direct the respondents 1 and 2 to grant the ordinary



W.P.CRL(MD)No.53 of 2025

leave to the period of 30 days without escort to the petitioner's husband namely, Arumugam S/o. Karuppaiya, C.P.No.5570 who is life convict prisoner in a murder case and languishing Central Prison, Madurai, for the past 3 years by considering the petitioner's representation dated 25.03.2025.

For Petitioner : Mr.S.M.A.Jinnah

For Respondents: Mr.A.Thiruvadi Kumar

Additional Public Prosecutor

ORDER

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

Challenging the order passed by the 2nd respondent dated 26.05.2025, granting 21 days of ordinary leave to the petitioner's husband / convict prisoner with escort, this writ petition is filed to quash the same, with a consequential direction to the respondents to grant ordinary leave of 30 days without escort.

2. The learned counsel for the petitioner would submit that since the petitioner's husband seeks leave regarding the alliance of his daughter, it would not be conducive for the convict to go along with the



W.P.CRL(MD)No.53 of 2025

escort. Therefore, the learned counsel would pray for setting aside the condition in the impugned order with regard to the escort during the leave period.

3. The learned Additional Public Prosecutor who takes notice for the respondents, submitted that apprehending danger to the life of the convict from the heirs of the deceased, who was murdered by the convict, the impugned order granting ordinary leave with escort has rightly been passed by the 1st respondent. Therefore, there is no infirmity in the same warranting interference by this Court.

4. Though the counsel for petitioner would stress that since the convict is going on leave for the alliance of his daughter, it will not be proper to go with escort, taking into consideration the submission made by the learned Prosecutor that there is a danger to the life of the convict at the hands of the heirs of the deceased person, we are inclined to modify the impugned order to the effect that the convict prisoner shall be granted ordinary leave for 21 days with one escort, on the following conditions:



W.P.CRL(MD)No.53 of 2025

(i) The convict prisoner namely, Arumugam, son of Karuppaiya (C.P No.5570) now detained in the Central Prison, Madura, is granted ordinary leave for 21 days from 27.06.2025 to 17.07.2025, with one escort.

(ii) The convict prisoner shall be released from the Prison at 5.00 p.m on 26.06.2025 and he shall return back to the Prison at 10.00 a.m on 18.07.2025.

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

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

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

No costs. Consequently, connected miscellaneous petition is closed.

[A.D.J.C., J.] [R.P., J.]
25.06.2025

Index : Yes / No
Neutral Citation : Yes / No

Issue order copy on 25.06.2025.



W.P.CRL(MD)No.53 of 2025

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To:

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O/o.The Deputy Inspector General of Prison and Correctional Services,
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Madurai Central Prison Campus,
New Jail Road, Madurai.
2. The Superintendent of Prison,
Madurai Central Jail,
New Jail Road,
Madurai District.
3. The Superintendent of Police,
O/o.The Superintendent of Police,
Tanjore.
- 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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ORDER MADE IN
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DATED : 25.06.2025