



W.P.(MD) No.117 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

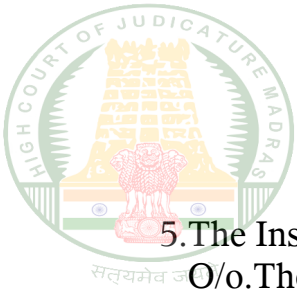
W.P.Crl.(MD)No.117 of 2025

Pandiyammal

-Vs-

... Petitioner

- 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 District.
- 2.The Superintendent of Prison,
Madurai Central Jail,
New Jail Road,
Madurai District.
- 3.The Superintendent of Prison,
Trichy Central Jail,
Trichy District.
- 4.The Superintendent of Police,
O/o.The Superintendent of Police,
Dindigul District.



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5. The Inspector of Police,
O/o. The Inspector of Police,
NIBICID Police Station,
Dindigul.

... 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 second respondent in எண்.480/உத.2/2025 dated 14.05.2025 and quash the same as bad in law and further direct the grant emergency leave without escort for the period of 15 days to petitioner's husband, namely, Karthick Balu, S/o.Dhandabani (CP No. 2223), who is a convicted prisoner in a NDPS case and languishing in Madurai Central Prison for the past two years.

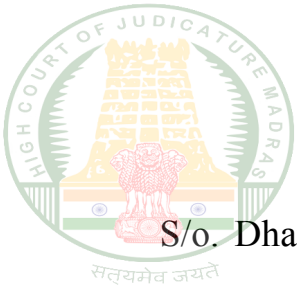
For Petitioner : Mr.S.Sakthivel

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

ORDER

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

The petition has been filed against the order dated 14.05.2025, passed by the second respondent in எண்.480/உத.2/2025, rejecting the request of the petitioner to grant emergency leave for her husband, namely, Karthick Balu,



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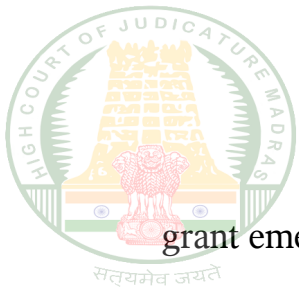
S/o. Dhandabani (CP No. 2223), who is a convicted prisoner in NDPS case at Madurai Central Prison."

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

3.When the writ petition was taken up for hearing on 30.06.2025, the learned Additional Public Prosecutor appearing for the respondents submitted that the petitioner's husband is convicted for the offence under NDPS Act for smuggling the commercial quantity of contraband and three other NDPS cases are pending against him and thereby, there is a bar for grant of leave to the petitioner's husband under Rule 21(h) (3) of Tamil Nadu Suspension of Sentence Rules 1982. Hence, this Court directed the respondent-police to verify as to whether the reason for which the leave was sought for is true or not.

4.Today, it is reported that the petitioner intends to admit their children to College for higher studies.

5.Though the aforesaid Rule does not permit to grant emergency leave to the petitioner's husband, that would not denude the powers of this Court to



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grant emergency leave.

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6.Considering the purpose for which the leave is sought for, we are inclined to direct the respondents to grant six days emergency leave to the petitioner's husband with sufficient escorts.

7. 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, Karthick Balu, S/o.Dhandabani, from 09.07.2025 to 14.07.2025. The convict prisoner shall be released from the prison on 08.07.2025 at 05.30 p.m.
- (ii) He shall report back to the Superintendent of Prison, Madurai Central Jail, New Jail Road, Madurai / second respondent, by 15.07.2025 at 10.30 p.m,
- (iii) Necessary escort shall be provided to accompany the convict prisoner.
- (iv) The escort charges shall be borne by the petitioner and if necessary, the same shall be adjusted from the income



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earned by the convict prisoner during the imprisonment period.

- (v) The petitioner shall produce all necessary documents, along with a copy of this order, before the jail authorities,
- (vi) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual.
- (vii) No costs.

6.List the matter on 16.07.2025 “for reporting compliance”.

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

07.07.2025

NCC : Yes / No
Index : Yes / No
cp

Note:Issue order copy on 07.07.2025

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 District.

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- 2.The Superintendent of Prison,
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Trichy District.
- 4.The Superintendent of Police,
O/o.The Superintendent of Police,
Dindigul District.
- 5.The Inspector of Police,
O/o.The Inspector of Police,
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