

W.P.CRL(MD)No.222 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2025

CORAM:

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

W.P.CRL(MD)No.222 of 2025

Abdul Gafoor

... Petitioner

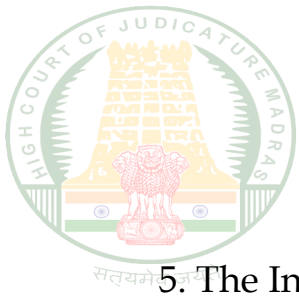
vs.

1. State of Tamil Nadu, represented by,
The Principal Secretary,
Home (Prison) Department,
State of Tamil Nadu, Secretariat, Fort. St.George,
Chennai-600 009.

2. The Director General of Police / Director General of Prisons and
Correctional Services,
C.M.D.A. Towers II,
No.1, Gandhi Irvin Road,
Egmore, Chennai-600 008.

3. The Superintendent of Prison,
Madurai Central Prison,
Madurai.

4. The Inspector of Police,
Thallakulam Police Station,
Thallakulam,
Madurai District.



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5. The Inspector of Police,
Thiruchendur Taluk Police Station,
Thiruchendur, Thoothukudi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for records connected with the impugned order in No.381/Utha.2/2025 dated 06.03.2025 on the file of the Respondent No.2 and quash the same as illegal, consequently to directing the respondents to grant parole for the petitioner by name Abdul Gafoor, son of Meera Shahib, aged 62 years, convict prisoner No.648 for the period of 30 days for performing marriage rituals for the petitioner's daughter namely Fathima Sulika.

For Petitioner : Ms.K.Chellamani

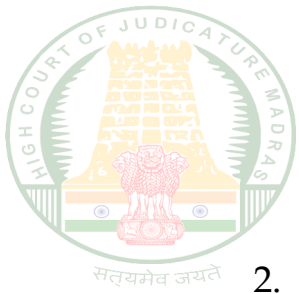
For Respondents: Mr.B.Nambi Selvan

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 06.03.2025, rejecting the request of the petitioner (Convict Prisoner No. 648) for granting ordinary leave to him, this writ petition is filed to quash the same, with a consequential direction to the respondents to grant 30 days of ordinary leave to the petitioner without escort.



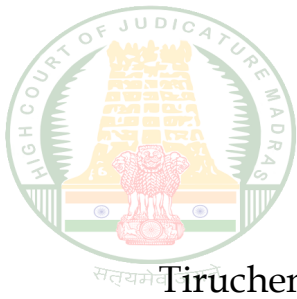
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2. The learned counsel for the petitioner would submit that the petitioner sought for ordinary leave to register his daughter's marriage in the registration office and to provide sridhana articles to her. However, without considering the same, the 2nd respondent rejected the request of the petitioner. Thus, the learned counsel would pray for setting aside the impugned order.

3. The learned Additional Public Prosecutor who takes notice for the respondents, submitted that though the Probation Officer has recommended the case of the petitioner, the Inspector of Police, Tiruchendur Taluk Police Station, has not recommended for granting leave to the petitioner stating that the petitioner faces risk to his life from the family members of the victim.

4. In reply, learned counsel for the petitioner would submit that the offence is said to have been committed within the limits Tallakulam Police Staton, Madurai, and the victims are residents of Madurai, whereas, the petitioner seeks leave to register his daughter's marriage at



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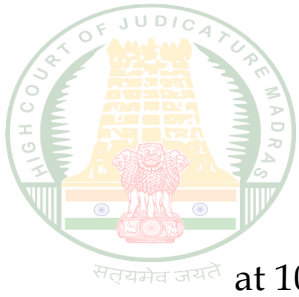
Tiruchendur, which is far away from Madurai. Further, the petitioner has not gone on leave even once after his conviction.

5. Though the learned Prosecutor submitted that there is a danger to the life of the petitioner/convict prisoner on his coming out on leave, considering the fact that the petitioner wants to register his daughter's marriage at Tiruchendur, and that the family members of the victim are residents of Madurai, we are inclined to grant emergency leave to the convict prisoner for 6 days with one escort, on the following conditions:

(i) The convict prisoner namely, Abdul Gafoor, son of Meera Shahib (Life Convict Prisoner No.5292, PID No.648) now detained in the Central Prison, Madurai, is granted emergency leave for 6 days from 01.07.2025 to 06.07.2025 with one escort.

(ii) The escort shall provided by the Commissioner of Police, Madurai City.

(iii) The convict prisoner shall be released from the Prison at 5.00 p.m on 30.06.2025 and he shall return back to the Prison



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at 10.00 a.m on 07.07.2025.

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

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

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

No costs.

[A.D.J.C., J.] [R.P., J.]
26.06.2025

Index : Yes / No
Neutral Citation : Yes / No

Note to Registry:

***Issue order copy before Afternoon
on 30.06.2025.***

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5. The Inspector of Police,
Thiruchendur Taluk Police Station,
Thiruchendur, Thoothukudi District.
6. 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
W.P.CRL(MD)No.222 of 2025
DATED : 26.06.2025