



W.P.CRL(MD)No.141 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.06.2025

CORAM:

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

**W.P.CRL(MD)No.141 of 2025
and
WPMP Crl(MD)No.37 of 2025**

Priyadharshini

... Petitioner

vs.

1. The Secretary to Government,
Home Department (Prison),
Government of Tamilnadu,
Secretariat, St. George Fort,
Chennai 9.

2. The Deputy Inspector General of Prison,
O/o. the Deputy Inspector General of Prison
and Correctional Services Department,
New Jail Road, Madurai.

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

4. The Superintendent of Police,
Ramanathapuram District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records



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of the order passed by the 2nd respondent in No.512/U.Th.2/2025 dated 14.05.2025 and quash the same and consequently directing the 1 to 3 respondents to grant one month ordinary leave without escort to the petitioner's husband namely, Baskaran s/o. Panchavarnam (CP No.6092) now confined under Central Prison, Madurai.

For Petitioner : Mr.S.Srikanth

For Respondents: Mr.A.Thiruvadi Kumar

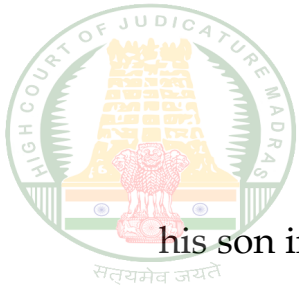
Additional Public Prosecutor

ORDER

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

Challenging the order passed by the 2nd respondent dated 14.05.2025, rejecting the request of the petitioner for granting 30 days of ordinary leave to her husband / convict prisoner, this writ petition is filed to quash the same, with a consequential direction to the respondents to grant one month of ordinary leave to the convict prisoner without escort.

2. The learned counsel for the petitioner would submit that the petitioner is seeking ordinary leave to her husband/convict prisoner on the ground that his presence is required for mobilizing funds to admit



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his son in III Standard and to complete the construction of the residential

house. However, the 2nd respondent rejected the petitioner's request vide impugned order, stating that the convict prisoner is not entitled to ordinary leave as per Rule 35 of the Tamil Nadu Suspension of Sentence Rules. 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 the convict prisoner is facing two pending cases against him and thereby, he is not eligible for ordinary leave as per Rule 35 of the Tamil Nadu Suspension of Sentence Rules. Therefore, the 2nd respondent has rejected the request of the petitioner vide impugned order, which does not warrant interference by this Court.

4. Though the learned Prosecutor submitted that the convict prisoner is not entitled to ordinary leave as per Rule 35 of the Tamil Nadu Suspension of Sentence Rules, considering the request of the petitioner that her husband's presence is required to mobilize funds to admit his son and also to complete the construction of the residential



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house, we are inclined to grant emergency leave to the convict prisoner

WEB COPY for 6 days with escort, on the following conditions:

(i) The convict prisoner namely, Baskaran, son of Panchavarnam (CP.No.6092) now detained in the Central Prison, Madurai, is granted emergency leave for 6 days from 26.06.2025 to 01.07.2025 with necessary escorts.

(ii) The convict prisoner shall be released from the Prison at 5.00 p.m on 25.06.2025 and he shall return back to the Prison at 10.00 a.m on 02.07.2025.

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

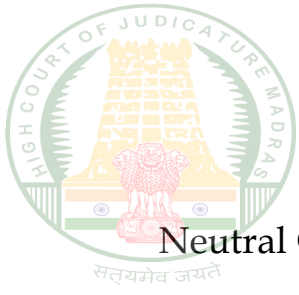
(iv) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual.

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

No costs. Connected M.P is closed.

[A.D.J.C., J.] [R.P., J.]
23.06.2025

Index : Yes / No



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Neutral Citation : Yes / No

WEB COPY Note to Registry:

Issue order copy on 24.06.2025.

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To:

1. The Secretary to Government,
Home Department (Prison),
Government of Tamilnadu,
Secretariat, St.George Fort,
Chennai 9.
2. The Deputy Inspector General of Prison,
O/o. the Deputy Inspector General of Prison
and Correctional Services Department,
New Jail Road,
Madurai.
3. The Superintendent of Prison,
Central Prison,
Madurai.
4. The Superintendent of Police,
Ramanathapuram District.
- 5.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.141 of 2025
DATED : 23.06.2025