



WP CrL.(MD) No.172 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

WP CrL.(MD)No.172 of 2025

and

W.P.M.P(MD)No.48 of 2024

Murugambal

... Petitioner

-Vs-

- 1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai-600 009.
- 2.The Director General of Police,
Kamarajar Salai,
Chennai-4.
- 3.The Director General of Police and
Inspector General of Prisons and Correctional Services,
Whannels Road,
Egmore,
Chennai-600 008.
- 4.The District Magistrate and District Collector,
Karur District,
Karur.



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5. The Superintendent of Prison,
Trichy Central Prison,
Trichy.

... Respondents

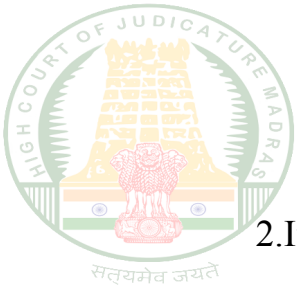
PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Kaditha No.640/Home.Ma(ma) A15/2025 dated 03.06.2025 on the file of the respondent No.1 and quash the same as illegal and consequently, to direct the respondents to temporarily release the petitioner's husband namely Raja @ Mannan(TPDA 8655) son of late Shanmugam, aged about 42 years, confining at Trichy Central Prison detained as a Goonda for the period of 7 days.

For Petitioner : Mr.R.Venkatesan
For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

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

This writ petition has been filed challenging the order passed by the first respondent dismissing the request of the petitioner seeking temporary release for her husband for a period of 7 days.



2.It is the case of the petitioner that she belongs to Scheduled Caste Community and her husband is a law graduate, practicing advocate and that he was detained under preventive detention as Goonda and that H.C.P(MD)No.196 of 2025 has been filed challenging the order of detention.

3.The learned counsel for the petitioner submitted that the presence of the convict prisoner is required for raising funds and to pay the fees for his children. Therefore, the petitioner had applied temporary leave for her husband and the same has been rejected.

4.This Court had directed the respondents to get the report from the School authorities with regard to the fees and also to find out whether the children will be sent out from the school, if fees is not paid.

5.The learned counsel for the petitioner submitted that the petitioner's husband is a law graduate, practicing advocate and he had been detained pursuant to the detention order dated 05.01.2025. Hence, the petitioner has challenged the order of detention. The learned counsel for the petitioner further submitted that the petitioner's children are studying 10th Std., and 7th Std., in Little Flower Matriculation Higher Secondary School, Karur and that the fees have not been



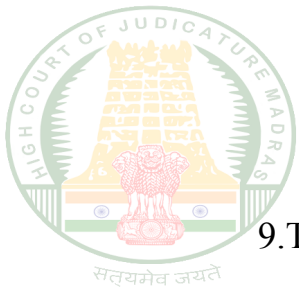
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paid till date. The petitioner thereby filed a petition seeking for temporary release to raise funds and pay the fees for the children.

6. When the matter came up on the earlier hearing, it was reported by the learned Additional Public Prosecutor that the petitioner and the family members are financially sound and that reason, the presence of convict prisoner is required for raising fees, is not correct. Therefore, we directed the respondent police to find out from the school authorities whether the children are continuing with the study in the school.

7. A letter has been received from the concerned school stating that the children of the petitioner are studying in 10th Std., and 7th Std., respectively and that the fees are yet to be paid.

8. The learned Additional Public Prosecutor also submitted that the school authorities have informed the respondent police that the children will not be prevented from attending school on account of non-payment of fees and they are prepared to receive the fees at any time.



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9.The reason for temporary release is to arrange and to raise funds for paying the school fees of the children. It is reported that the family of the detenu is financially sound and that the presence of the detenu is not necessary for raising funds. Further, it is also stated that there is no pressure from the school for payment of fees and the children of the detenu are also allowed to continue their studies.

10.In view of the above, we do not find any merit in the claim made by the petitioner. Hence, this Writ Petition stands dismissed.

[A.D.J.C., J.] & [R.P., J.]
09.07.2025

NCC : Yes / No

Index : Yes / No

NS

To

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- 2.The Director General of Police,
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- 4.The District Magistrate and District Collector,
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Karur.
- 5.The Superintendent of Prison,
Trichy Central Prison,
Trichy.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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