



W.P.Crl(MD) No.178 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

W.P.Crl(MD)No.178 of 2025

and

W.M.P(MD)No.54 of 2025

Anantharuby Thangakani

... Petitioner

-Vs-

1.The Home Secretary,
Home Department(Prison)
Secretariat, Fort St.George,
Chennai-600 009.

2.The Deputy Inspector General of Prisons,
Madurai Range,
Madurai-625 001.

3.The Superintendent of Prison,
Central Prison,
Palayamkottai-627 007.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings in No.328/Utha.2/2025 dated 17.03.2025 issued by the 2nd respondent

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quash the same and consequently, direct the respondents to grant 28 days ordinary leave without escort to the petitioner's husband Baskar, S/o.Palavesam Nadar (PID No.472975, Convict No.5096).

For Petitioner : Mr.P.M.Basil
For Respondents : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

ORDER

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

The writ petitioner, who is the wife of the life convict has sent a representation to the 2nd and 3rd respondents seeking ordinary leave for her husband on the ground that their son namely Babin is suffering from muscular dystrophy and is in urgent need of medical surgery. But the said representation was rejected. Hence, challenging the order dated 17.03.2025, passed by the second respondent, rejecting the petitioner's request for grant of ordinary leave, the petitioner is before this Court.

2. The writ petitioner sought for twenty eight(28) days ordinary leave without escort to her husband, namely Baskar, S/o.Palavesam Nadar, who is detained at Central Prison, Palayamkottai.



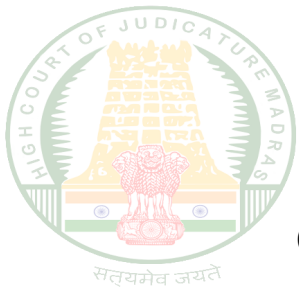
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3.The learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that though the probationary officer has recommended the case of the petitioner, the authorities have rejected the request on the ground that the petitioner's husband has not completed three years. He would further submit that emergency leave with escort may be granted to the convict.

4. Recording the submission made by the learned Additional Public Prosecutor and considering the fact that the petitioner's son is suffering from muscular dystrophy and is in urgent need of medical surgery, we are inclined to direct the respondents to grant six(6) days ordinary leave to the petitioner's husband with single escort.

5. Accordingly, the writ petition is disposed of with the following directions:

- (i) The respondents are directed to grant six days ordinary leave to the petitioner's husband, namely, Baskar, S/o.Palavesam Nadar from 27.06.2025 to 02.07.2025.
- (ii) He shall report back to the Superintendent of Prison, Central Prison, Palayamkottai / third respondent, by 03.07.2025 at 10.00 a.m.,



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- (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 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. Consequently, connected miscellaneous petition is closed.

[A.D.J.C., J.] & [R.P., J.]
24.06.2025

NCC : Yes / No

Index : Yes / No

PJL

Note: Issue order copy on 25.06.2025.



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- To
- 1.The Home Secretary,
Home Department(Prison)
Secretariat, Fort St.George,
Chennai-600 009.
 - 2.The Deputy Inspector General of Prisons,
Madurai Range,
Madurai-625 001.
 - 3.The Superintendent of Prison,
Central Prison,
Palayamkottai-627 007.
 - 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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