

W.P(MD)No.203 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.06.2025

CORAM:

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

W.P.Crl.(MD)No.203 of 2025

P.Rani

... Petitioner

Vs.

1.State of Tamil Nadu,

The Deputy Inspector General of Prison (Range)

Madurai – RO – TNPCS,

Madurai.

2.State of Tamil Nadu,

The Superintendent of Prison,

Central Prison,

Madurai.

3.State of Tamil Nadu,

The Intelligence Officer,

Narcotics Control Bureau,

Madurai Sub Zone,

Madurai.

... Respondents

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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 Proceedings No.56/Vu.Tha.2/2025 dated 26.05.2025 issued by the 1st respondent and quash the same on the ground that the same is arbitrary illegal and without legal basis and consequently direct the respondents to release the petitioner's husband namely, K.Paraman, Son of Karuthakannan convict prisoner, lodged in the Central Prison, Madurai on parole for a period of 21 days for the purpose of medical treatment of the petitioner.

For Petitioner : Mr.Krishnaswamy

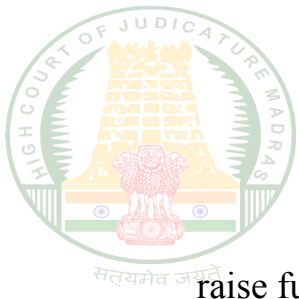
For Respondents : Mr.A.Thiruvadi Kumar

Additional Public Prosecutor

ORDER

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

The writ petition has been filed challenging the order of rejection of representation seeking emergency leave for her husband to



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raise funds for her medical expenses.

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2. The case of the petitioner is that her husband is a convict prisoner undergoing sentence at the Central Prison, Madurai. She had made a representation dated 14.05.2025 seeking 21 days of leave to her husband for raising funds to her medical expenses. The 1st respondent issued the impugned proceedings dated 26.05.2024 by rejecting the petitioner's representation. Challenging the same, she has filed this writ petition.

3. The learned Additional Public Prosecutor on instructions from the respondents would submit that the petitioner's husband has been convicted on 20.02.2020 in C.C.No.389 of 2017 for the offence under Section 8(c) r/w.20(b) (ii) (c), 28 and 29 of NDPS Act, for possession of commercial quantity and therefore, in view of bar under Rule 21(h) (3) of the Tamil Nadu Suspension of Sentence Rules, 1982, the respondents have rejected the request of the petitioner. However, he would submit that it is true that the petitioner is suffering from fibroid tumour with endometriosis and that the Doctors have suggested that she has to undergo surgery.



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4. Heard the learned counsel on either side and perused the materials available on record.

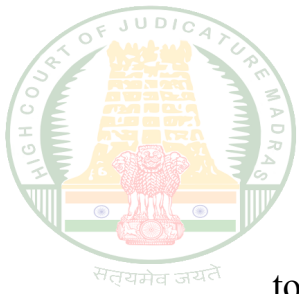
5. Though there is bar under Rule 21(h) (3) of the Tamil Nadu Suspension of Sentence Rules, 1982, it will not denude the powers of this Court in granting emergency leave. Taking into consideration of the petitioner's health condition, we are inclined to grant emergency leave to the convict prisoner for six days with two escorts, on the following conditions:

(i) The convict prisoner namely, K.Paraman S/o.Karuthakannan, now detained in the Central Prison, Madurai, is granted emergency leave for six days from 30.06.2025 to 05.07.2025.

(ii) The convict prisoner shall be released from the prison at 9.00 a.m on 30.06.2025 and he shall be brought back to the prison by 5.30 p.m on 05.07.2025.

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

(iv) The Commissioner of Police, Madurai City is directed



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to provide two escorts to the convict prisoner from the Central Prison at the time when he leaves the prison and till such time, he is taken back to the prison.

(v) It is clarified that the cost involved in providing escort 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.

(vi) The petitioner shall produce all necessary documents, along with a copy of this order, before the jail authorities.

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

No costs.

[A.D.J.C., J.] [R.P., J.]
25.06.2025

Index : Yes / No
Neutral Citation : Yes / No
rm

Note : Issue order copy on 26.06.2025



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To:
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- 1.The Deputy Inspector General of Prison (Range)
State of Tamil Nadu,
Madurai – RO – TNPCS,
Madurai.
- 2.The Superintendent of Prison,
State of Tamil Nadu,
Central Prison,
Madurai.
- 3.The Intelligence Officer,
State of Tamil Nadu,
Narcotics Control Bureau,
Madurai Sub Zone,
Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

- 1.The Commissioner of Police,
Madurai City,
Madurai.



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A.D.JAGADISH CHANDIRA, J.
AND
R.POORNIMA, J.

rm

ORDER MADE IN
W.P.Crl.(MD)No.203 of 2025

DATED : 25.06.2025