



W.P(MD)No.285 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.285 of 2025
and
W.M.P(MD)No.76 of 2025**

P.Rani

... Petitioner

Vs.

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

2.The Superintendent of Prison
Central Prison,
Trichy.

3.The Superintendent of Police
Ariyalur District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records of the order passed by the 2nd respondent in No.8248/Tha.Ku.4/2025 dated 20.06.2025 and quash the same and consequently directing the 2nd respondent to grant 15 days emergency leave without escort to the petitioner husband namely, K.Shankar, S/o.Kaliyamoorthy (PID No. 589204) now confined under Central Prison, Trichy.

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.**]

The writ petition has been filed challenging the order of rejection of representation seeking emergency leave for her husband to raise funds to pay the educational fees of her children.



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2. The case of the petitioner is that she had sought for emergency leave for her husband to raise funds to pay the educational fees of her children. She had made a representation dated 19.06.2025 seeking 15 days of leave to her husband for raising funds. The 2nd respondent issued the impugned proceedings dated 20.06.2025 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 25.04.2024 in S.C.No.135 of 2018 for the offence under Section 302 IPC and since the Rules does not provide for grant of emergency leave for raising funds, the respondents have rejected the request of the petitioner. However, he would submit that the petitioner's son is studying in Gokilambal Matriculation School, Udayarpalayam, Ariyalur District and daughter is studying in Shrimati Indira Gandhi College, Tiruchirappalli and that the bills are found to be true.

4. Heard the learned counsel on either side and perused the



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materials available on record.

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5. Though the Rules did not provide for grant of emergency leave for raising funds for educational purposes that will not denude the powers of this Court granting leave to the petitioner's husband. Taking into consideration of raising funds for educational purposes, we are inclined to grant emergency leave to the convict prisoner for six days with one escort, on the following conditions:

(i) The convict prisoner namely, K.Shankar S/o.Kaliyamoorthy (PID No.589204) now detained in the Central Prison, Madurai, is granted emergency leave for six days from 27.06.2025 to 02.07.2025.

(ii) The convict prisoner shall be released from the prison at 9.00 a.m on 27.06.2025 and he shall be brought back to the prison by 5.30 p.m on 02.07.2025.

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

(iv) One escort shall be provided to accompany the convict prisoner.



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(v) 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.

(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
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Note : Issue order copy on 26.06.2025



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- 1.The Secretary to Government
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- 2.The Superintendent of Prison
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- 3.The Superintendent of Police
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- 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.

rm

ORDER MADE IN
W.P.Crl.(MD)No.285 of 2025

DATED : 25.06.2025