



W.P.Crl(MD)No.343 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

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Sivapathasekaran

... Petitioner

-Vs-

1. The Deputy Inspector General of Prison,
O/o. the Deputy Inspector General of Prison and Correctional Services,
Madurai Range,
Madurai Central Prison Campus,
New Jail Road, Madurai.

2. The Superintendent of Prison,
O/o.The Superintendent of Prison,
Central Prison,
Madurai.

3. The Superintendent of Police,
O/o.The Superintendent of Police,
Madurai District.

4. The Inspector of Police,
Central Bureau of Investigation,
III Floor, E.V.K.Building,
College Road,
Chennai - 600 006.

.. Respondents



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[R4 is Impleaded as Per Order of this Court dated 21.07.2025 in WMP.Crl(MD)No.158/2025 in WP.Crl.(MD)No.343 of 2025 by ADJCJ & RPJ]

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 1089803/Thaku.3/2025 dated 13.06.2025 quash the same as bad in law and further direct the respondents No.1 and 2 to grant the emergency leave for a period of 15 days without escort to the petitioner's father who is a convict prisoner namely, Chandirasekaran, son of Karuppaiah (CP No.8996) who is languishing in Madurai Central Prison by considering the representation dated 04.06.2025.

For Petitioner : Mr.S.M.A.Jinnah

For Respondents : Mr.A.Thiruvadikumar,
Additional Public Prosecutor for R1 to R3

: Mr.M.Karunanithi
Special Government Pleader for R4

ORDER

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

Challenge is made to the order dated 13.06.2025 in No.1089803/Thaku.3/2025, passed by the second respondent rejecting the grant of emergency leave to the petitioner's father/convict prisoner.



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2. Heard the learned counsel appearing for the petitioner, the learned Additional Public Prosecutor and the learned Special Government Pleader appearing for the respondents.

3. The learned Additional Public Prosecutor would submit that the petitioner's father has been convicted and sentenced to undergo Rigorous Imprisonment for 10 years. Though the petitioner has sought for emergency leave for his father to attend his grandmother who is critically ill, the petitioner has not enclosed the necessary certificates and thereby, the respondents have rejected the request of the petitioner.

4. The learned counsel for the petitioner would submit that the convict prisoner's mother is a chronic kidney patient stage-5 and suffering from congestive cardiac failure and she has been taking treatment from home and her condition is also not good. He would further submit that the petitioner though has not furnished the certificates to the authorities, it has been filed before this Court in the typedset of papers.

5. Mr.M.Karunanithi, learned Special Government Pleader, appearing for the fourth respondent objected for grant of leave to the convict prisoner.



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6. The respondents have rejected the request of the petitioner on the ground that no certificates have been enclosed along with the representation. Today, the certificate issued by the Bharathi Infinity Hospital, Madurai, has been furnished before this Court.

7. In view of the above, we are inclined to direct the respondents to grant six days emergency leave with single escort. 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.

8. With the above direction, this Writ Petition stands disposed of. No Costs.

[A.D.J.C., J.] & [R.P., J.]
29.07.2025

NCC : Yes / No
Index : Yes / No
NCC : Yes/No
PJJ

Note: Issue order copy on 31.07.2025



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2. The Superintendent of Prison,
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4. The Inspector of Police,
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III Floor, E.V.K. Building,
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5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
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AND

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PJL

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