



WP CrL.(MD) No.345 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.06.2025

CORAM:

THE HONOURABLE **MR.JUSTICE A.D.JAGADISH CHANDIRA**

AND

THE HONOURABLE **MS.JUSTICE R.POORNIMA**

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Gandhimathi

... 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,
Ramanathapuram District.

... 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 481/Utha.2/2025 dated 05.06.2025 quash the same as bad in law and further direct the respondents 1 & 2 to grant the ordinary leave for the

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period of 30 days without escort to the petitioner's husband who is a life convict prisoner namely Joseph Rajan, S/o.Vedhamanikam (CP No.6147) who is languishing in Madurai Central Prison by considering the petitioner's representation dated 25.04.2025.

For Petitioner : Mr.SMA.Jinnah
For Respondents : Mr.S.Ravi
Additional Public Prosecutor

ORDER

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

This writ petition has been filed for issuance of a Writ of Certiorarified Mandamus, to quash the impugned order in 481/Utha.2/2025 dated 05.06.2025 and further direct the respondents 1 & 2 to grant the ordinary leave for the period of 30 days without escort to the petitioner's husband who is a life convict prisoner namely Joseph Rajan, S/o.Vedhamanikam (CP No.6147) who is languishing in Madurai Central Prison by considering the petitioner's representation dated 25.04.2025.

2. The case of the petitioner is that the petitioner's daughter is about to complete her second year at the teacher training college and to provide her with the necessary education for her future life, or to find a future job for her, her

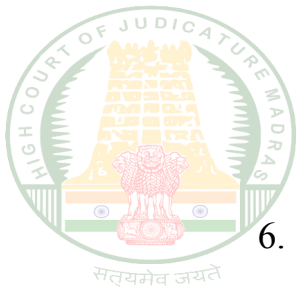


husband's visit is necessary. Since they are demolishing and building a house in their village and to do the repair work for it and to enable money for it from his relatives and friends and thereby his presence is required. The petitioner had applied for ordinary leave without escort for a period of 30 days.

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents would submit that the second respondent has passed an order, dated 05.06.2025 granting 21 days ordinary leave to the petitioner with two escorts.

4. In reply, the learned counsel for the petitioner would submit that the petitioner hails from poor background and he find it very difficult to take care of his daily expenses and under such circumstances granting ordinary leave to the husband of the petitioner with escort cannot be justified and thereby would seek for modification of the order.

5. Per contra, the learned Additional Public Prosecutor would submit that this is the first time for granting ordinary leave and as usual and regular procedure he has been directed to go along with the escort.

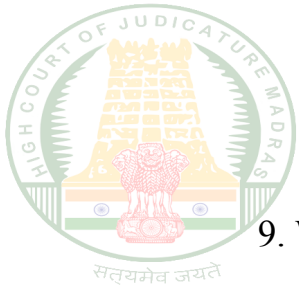


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6. Heard the learned counsels on both sides and perused the materials available on record.

7. The petitioner has sent representation seeking ordinary leave for her husband and that ordinary leave has been granted to the petitioner's husband with escort. It is the case of the petitioner that he hails from poor background and thereby he may not be able to afford expenses for the escort and that there is no justification for the same.

8. Considering the facts and circumstances of the case and also considering the fact that this is the first time to grant ordinary leave and therefore, he has to go along with escort, therefore, the condition imposed in the order dated 05.06.2025 directing the petitioner's husband to go on ordinary leave with escort is modified and he shall go on ordinary leave with one escort. However, the petitioner's husband is directed to comply with the usual conditions imposed by the jail authorities. He shall duly comply with the conditions and return to the prison on expiry of the leave period.



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9. With the above direction, this Writ Petition is disposed of.

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[A.D.J.C., J.] & [R.P., J.]
30.06.2025

NCC : Yes / No

Index : Yes / No

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To

- 1.The Deputy Inspector General of Prison,
Madurai Range, Madurai Central Prison Campus,
New Jail Road, Madurai.
- 2.The Superintendent of Prison,
Central Prison,
Madurai.
- 3.The Superintendent of Police,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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