



W.P.Crl(MD) No.306 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

W.P.Crl.(MD)No.306 of 2025

and

W.M.P(MD)No.85 of 2025

S.Samitha

... Petitioner/
Daughter of the Live Convict

-Vs-

1.The Superintendent of Prison,
Central Prison,
Trichy-620 020.

2.The Superintendent of Police,
O/o.The Superintendent of Police,
Thanjavur 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 relating to the impugned order passed by the 1st respondent vide proceedings in No.7706/Thaku.4/2025, dated 20.06.2025 and quash the same as illegal and consequently direct the 1st respondent to grant 10 days Emergency Leave without police escort to the petitioner's father namely Sivadoss, S/o.Appadurai, Life Convict Prisoner, PID No.66639 confined at Central Prison, Trichy.

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For Petitioner : Mr.K.A.S.Prabhu
For Respondents : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

ORDER

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

The order dated 20.06.2025, passed by the first respondent, rejecting the petitioner's request for grant of emergency leave, is under challenge in this writ petition.

2. The writ petitioner is the daughter of the life convict and the wife of the convict prisoner suffering from Heart Failure ailment and breathing problem, she has sought for ten(10) days emergency leave to the life convict.

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that as per Rule 13 of Tamil Nadu Suspension of Sentence Rules, the convict prisoner is entitled only 15 days leave for one year in four instalments. Therefore, the request of emergency leave for ten days cannot be granted to the life convict.



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4.The learned counsel appearing for the petitioner would submit that earlier on two occasions, the convict prisoner was granted ordinary leave, pursuant to the order passed by this Court in W.P(MD)No.1888 of 2025 dated 28.01.2025, where ordinary leave was granted to the convict prisoner without escort and hence, he prays for without escort.

5.Considering the purpose for which the leave sought is for, we are inclined to direct the respondents to grant six days emergency leave to the petitioner's father to attend the serious illness of his without escort.

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

- (i) The respondents are directed to grant six days emergency leave to the petitioner's father, namely, Sivadoss, S/o.Appadurai, PID No.66639, from 02.07.2025 to 07.07.2025. The convict prisoner shall be released from the prison on 01.07.2025 at 05.30 p.m.
- (ii) He shall report back to the Superintendent of Prison, Central Prison, Trichy / first respondent, by 08.07.2025 at 10.30 am.,



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- (iii) During the leave period, the convict prisoner shall appear before the Madukkur Police Station, Thanjavur District, daily at 07.00 p.m., without fail.
- (iv) The petitioner shall produce all necessary documents, along with a copy of this order, before the jail authorities,
- (v) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual.
- (vi) No costs. Consequently, the connected miscellaneous petition is also closed.

6.List the matter on 09.07.2025 “for reporting compliance”.

[A.D.J.C., J.] & [R.P., J.]
27.06.2025

NCC : Yes / No
Index : Yes / No
NS

Note:Issue order copy on 30.06.2025



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To

- 1.The Superintendent of Prison,
Central Prison,
Trichy-620 020.
- 2.The Superintendent of Police,
O/o.The Superintendent of Police,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND

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