



W.P.Crl.(MD) No.382 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

W.P.Crl.(MD)No.382 of 2025

and

W.M.P(MD)No.106 of 2025

R.Soundarya

... Petitioner

-Vs-

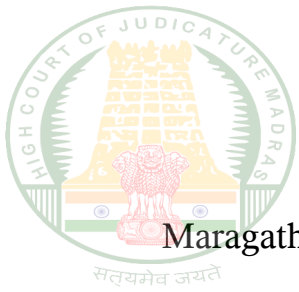
1.The Deputy Inspector General of Prison,
(Madurai Range),
(Prison and Correctional Services),
Madurai.

2.The Superintendent,
Central Prison,
Madurai.

... 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 No.651/U.Tha.2/2025 dated 24.06.2025 on the file of the 1st respondent and quash the same as illegal and consequently, direct the respondents to release the petitioner's husband namely Ravi, S/o.Chellakannu(C.P.No.1275, PID No.284856) on ordinary leave / emergency leave for 10 days for arranging money and to attend ear piercing ceremony on 09.07.2025 at Bala

Page 1 of 7



W.P.Crl.(MD) No.382 of 2025

Maragathammal Mahal, Sellur, Madurai City.

For Petitioner : Mr.M.Jegadeesh Pandian
For Respondents : Mr.S.Ravi,
Additional Public Prosecutor

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ORDER

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

The order dated 19.05.2025, passed by the first respondent, rejecting the petitioner's request for grant of ordinary leave, is under challenge in this writ petition.

2. The writ petitioner is the husband of the convict prisoner and for attending the ear piercing ceremony for her children, she has sought for 10 days emergency leave to the convict prisoner.

3.The learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that since the petitioner was convicted under NDPS Act, he is not entitled for emergency leave. Further, as per Rule 21(h) 3 of Tamil Nadu Suspension of Sentence Rules, 1982, the convict prisoner is not entitled for emergency leave. Hence, the respondent has rejected the request of the petitioner.

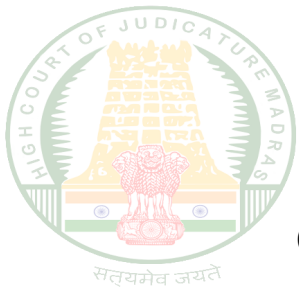


4.Though as per the Rule the convict prisoner is not eligible for leave, that would not denude the powers of this Court to grant emergency leave.

5.Recording the submission made by the learned Additional Public Prosecutor and considering the purpose for which the leave sought is for, we are inclined to direct the respondents to grant two days emergency leave to the petitioner's husband with sufficient escort.

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

- (i) The respondents are directed to grant two days emergency leave to the petitioner's husband, namely, Ravi, S/o.Chellakannu (C.P.No.1275, PID No.284856) ie., 08.07.2025 to 09.07.2025. The convict prisoner shall be released from the prison on 07.07.2025 at 05.30 p.m.
- (ii) He shall report back to the Superintendent of Prison, Central Prison, Madurai / second respondent, by 10.07.2025 at 10.30 a.m.,
- (iii) Necessary escort shall be provided to accompany the convict prisoner.



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W.P.Crl.(MD) No.382 of 2025

- (iv) 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.
- (v) The petitioner shall produce all necessary documents, along with a copy of this order, before the jail authorities,
- (vi) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual.
- (vii) No costs. Consequently, the connected miscellaneous petition is also closed.

7.List the matter on 11.07.2025 “for reporting compliance”.

[A.D.J.C., J.] & [R.P., J.]
02.07.2025

NCC : Yes / No
Index : Yes / No
NS

Note:Issue order copy on 04.07.2025



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W.P.Crl.(MD) No.382 of 2025

To

- 1.The Deputy Inspector General of Prison,
(Madurai Range),
(Prison and Correctional Services),
Madurai.
- 2.The Superintendent,
Central Prison,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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02.07.2025