



W.P.(MD) No.393 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 MR.JUSTICE G.ARUL MURUGAN

W.P.Cr1.(MD)No.393 of 2025

K.Manjula Devi

... 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.

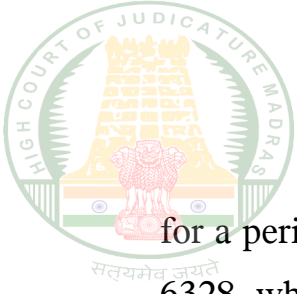
2.The Superintendent of Prison,
Central Jail,
Madurai.

3.The Superintendent of Police,
O/o.The Superintendent of Police,
Dindigul 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 passed by the respondent No.1 in எண்.661/உ.த.2/2025 dated 26.06.2025 and quash the same as bad in law and directing the respondents No.1 and 2 to grant ordinary leave without escort

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for a period of 28 days to her husband namely Karthik, S/o.Ponnumuthu, C.P.No. 6328 who is languishing in the Madurai Central Prison by considering her representation dated 19.06.2025.

For Petitioner : M/s.A.Karthika
For Respondents : Mr.S.Ravi,
Additional Public Prosecutor

ORDER

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

The order dated 26.06.2025, passed by the first respondent, rejecting the petitioner's request for grant of 28 days ordinary leave, is under challenge in this writ petition.

2. The writ petitioner is the wife of the convict prisoner and she has sought for 28 days ordinary leave to her husband to assist and meet out the expenses for her children educational purpose.

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that the convict prisoner is facing trial of two cases, the respondents have rejected the petitioner's request in view of the restriction under Rule 34 of Tamil Nadu Suspension of Sentence Rules, 1982.



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4.The learned counsel appearing for the petitioner would submit that earlier the convict prisoner was granted emergency leave without escort on several occasions and hence, he prays for ordinary leave without escort. Though there is a restriction under Rule 24 of the Tamil Nadu Suspension of Sentence Rules, 1982, it will not denude the power 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 six days emergency leave to the convict prisoner 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 convict prisoner namely, Karthik, S/o.Ponnumuthu, C.P.No.6328 from 06.07.2025 to 11.07.2025. The convict prisoner shall be released from the prison on 05.07.2025 at 05.30 p.m.
- (ii) He shall report back to the Superintendent of Prison, Central Jail, Madurai / second respondent, by 12.07.2025



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at 10.30 am.,

- WEB COPY (iii) During the leave period, the convict prisoner shall appear before the Thadikombu Police Station, Dindigul District, daily at 10.30 a.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.

7.List the matter on 13.07.2025 “for reporting compliance”.

[A.D.J.C., J.] & [G.A.M., J.]
03.07.2025

NCC : Yes / No
Index : Yes / No
NS

Note:Issue order copy on 04.07.2025



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To

- 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,
Central Jail,
Madurai.
- 3.The Superintendent of Police,
O/o.The Superintendent of Police,
Dindigul District.
- 4.The Inspector of Police,
Thadikombu Police Station,
Dindigul District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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A.D.JAGADISH CHANDIRA, J.

AND

G.ARUL MURUGAN, J.

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