



W.P.Crl.(MD) No.445 of 2025

WEB COPY **BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 08.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

W.P.Crl.(MD) No.445 of 2025

A.Muthulakshmi

... Petitioner

-VS-

1.The Home Secretary,
Home Department (Prison),
Secretariat, Fort St. George,
Chennai.

2.The Deputy Inspector General of Prison,
Madurai Range,
Madurai.

3.The Superintendent of Prison,
Central Prison,
Palayamkottai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant emergency leave to the petitioner's brother Madasamy, son of Arumugam, convict No.4227.



W.P.Crl.(MD) No.445 of 2025

WEB COPY

For Petitioner : Mr.P.M.Basil

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

The present Writ Petition is filed for a writ of mandamus directing the respondents to grant emergency leave to the petitioner's brother Madasamy, son of Arumugam, convict No.4227.

2. The learned counsel for the petitioner would submit that the petitioner is the brother of the life convict. The petitioner's mother is aged about 64 years and suffering from serious health issues like severe chest pain and urinary infection and she is under continues treatment. Therefore, they decided to admit their mother in the hospital and provide medical treatment in the presence of her brother. Hence, she submitted a representation dated 15.05.2025 to the third respondent seeking emergency leave without escort to her brother.



W.P.Crl.(MD) No.445 of 2025

WEB COPY

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents would submit that pending the writ petition, the third respondent has passed an order, dated 05.07.2025 granting three days emergency leave to the petitioner's with escort.

4. In reply, the learned counsel for the petitioner would submit that on an earlier occasion the petitioner's brother has gone on emergency leave without escort and therefore, escort need not be necessary and seeks for modification of the order.

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

6. In such circumstances, this Court is of the opinion that imposing a condition to go on emergency leave along with escort is without any justification. In view of the above, the condition imposed in the order dated 05.07.2025 directing the petitioner's brother to go on emergency leave with escort is modified and he shall go on emergency leave without escort. However, the petitioner's



W.P.CrL.(MD) No.445 of 2025

WEB COPY

brother is directed to comply with the usual conditions imposed by the jail authorities and he should also report before the Inspector of Police, Sivanthipatti Police Station, Tirunelveli District daily twice at 07.00 a.m., and 07.00 p.m. He shall duly comply with the conditions and return to the prison on expiry of the leave period.

7. With the above modification, this writ petition is disposed of.

[A.D.J.C., J.] [R.P., J.]
08.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
am



W.P.Crl.(MD) No.445 of 2025

WEB COPY

To:

- 1.The Home Secretary,
Home Department (Prison),
Secretariat, Fort St. George,
Chennai.
- 2.The Deputy Inspector General of Prison,
Madurai Range,
Madurai.
- 3.The Superintendent of Prison,
Central Prison,
Palayamkottai.

A.D.JAGADISH CHANDIRA, J.



WEB COPY



W.P.CrI.(MD) No.445 of 2025

AND
R.POORNIMA, J.

am

W.P.CrI.(MD) No.445 of 2025

08.07.2025