

W.P.Crl(MD) No.458 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

W.P.Crl(MD)No.458 of 2025

and

W.P.M.P.Crl(MD)No.127 of 2025

Shabira Banu

... 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,
Madurai.

... Respondents



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Prayer : This Writ Petition is filed for issuance of a JWrit of Certiorarified Mandamus, directing the Respondents to call for the records pertaining to the Impugned order in No.5830/ThaKu.3/2025 dated 16.06.2025 issued by the respondent No.2 quash the same as bad in law and further direct the respondents to grant emergency leave for the period of 15 days without escort tot he petitioner's husband who is a life convict namely Ibrahimsha, son of Mohammed Hanifa CP No.5830 by considering the representation dated 03.06.2025.

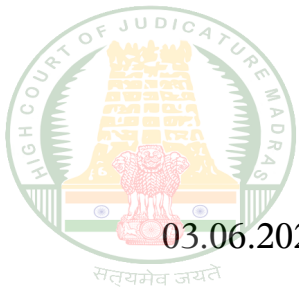
For Petitioner : Mr.S.M.A.Jinnah
For Respondents : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

ORDER

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

Prayer in this writ petition is to direct the respondents to grant 15 days emergency leave without escort to the convict namely, Ibrahimsha, son of Mohammed Hanifa [CP No.5830] , who is detained at Central Prison, Madurai

2. The writ petitioner is the wife of the life convict and for raising funds for his children's education and to visit his ailing father, she has sought for fifteen (15) days emergency leave to the convict through her representation dated



03.06.2025.



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3. The learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that cases are pending against the life convict. He would further submit that the convict is facing trial in two cases and the hearing dates fall on 16.07.2025 and 30.07.2025 and that the petitioner had not enclosed the medical certificate of her ailing father-in-law. Hence, her representation has been rejected.

4. Per contra, the learned counsel for the petitioner would submit that the petitioner's husband was earlier granted emergency leave on four occasions.

5. The learned Additional Public Prosecutor, on instructions, would further submit that the respondent police also have raised serious objection against the convict moving out of Sakkimangalam Village, Madurai District, which comes under the jurisdiction of Silaiman Police Station, since the convict has connection with fundamentalist.



6. Recording the submission made by the learned Additional Public

Prosecutor and considering the purpose for which the leave sought is for and that he had been earlier granted emergency leave on four occasions, we are inclined to direct the respondents to grant six(6) days emergency leave to the petitioner's husband with necessary escort. It is made clear that during the leave period, the petitioner shall not move out of Sakkimangalam Village, Madurai, which comes under the jurisdiction of Silaiman Police Station.

7. 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 husband, namely, Ibrahimsha, son of Mohammed Hanifa [CP No.5830] from 21.07.2025 to 26.07.2025.
- (ii) The convict prisoner shall be released from the Central Prison, Madurai, on 20.07.2025 at 5.00 p.m. and he shall report back to the Superintendent of Prison, Central Prison, Madurai / second respondent, by 27.07.2025 at 10.30 a.m.,
- (iii) Necessary escort shall be provided to accompany the



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convict prisoner. The escort shall be provided by the Superintendent of Police, Madurai/3rd respondent in this writ petition.

- (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, connected miscellaneous petition is closed.

[A.D.J.C., J.] & [R.P., J.]
10.07.2025

NCC : Yes / No
Index : Yes / No
PJJ

Note: Issue order copy on 11.07.2025



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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,
O/o. The Superintendent of Prison,
Central Prison,
Madurai.

3. The Superintendent of Police,
O/o. the Superintendent of Police,
Madurai.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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A.D.JAGADISH CHANDIRA, J.

AND

R.POORNIMA, J.

PJL

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