

W.P.Crl(MD) No.467 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 16.07.2025

CORAM:

THE HONOURABLE **MR.JUSTICE A.D.JAGADISH CHANDIRA**

AND

THE HONOURABLE **MS.JUSTICE R.POORNIMA**

W.P.Crl(MD)No.467 of 2025

and

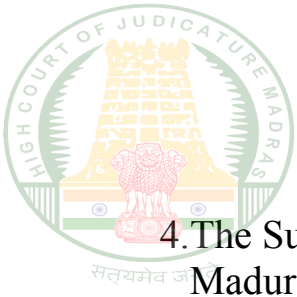
W.M.P(MD)No.128 of 2025

Selvi

... Petitioner/
wife of the Convict

-Vs-

- 1.The Secretary to Government,
Home Department (Prison),
Government of Tamil Nadu,
Secretariat,
St. George Fort,
Chennai-9.
- 2.The Deputy Inspector General of Prisons,
Madurai Range,
Madurai.
- 3.The Superintendent of Prison,
Central Prison,
Madurai.



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4. The Superintendent of Police,
Madurai District.

... Respondents

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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned order passed by the second respondent in No.5864/Tha.Ku.2/2025 dated 30.06.2025, and quash the same and consequently direct the second and third respondents to grant 15 days emergency leave without escort to the petitioner's husband namely, Nagarajan S/O.Karuppiyah convict prisoner (CP No.5864).

For Petitioner : Mr.S.Srikanth

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

ORDER

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

Prayer in this writ petition is to quash the impugned order passed by the second respondent in No.5864/Tha.Ku.2/2025 dated 30.06.2025 and consequently direct the second and third respondents to grant 15 days emergency leave without escort to the petitioner's husband namely, Nagarajan S/O.Karuppiyah convict prisoner (CP No.5864).



WEB COPY 2. The writ petitioner is the wife of the life convict, and she had sought 15 days of emergency leave for her husband to make arrangements for their daughter's wedding and for the medical treatment of her father-in-law.

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondent, on instructions, submitted that the petitioner had sought emergency leave for her husband to make arrangements for their daughter's wedding and for the medical treatment of her father-in-law. Since the petitioner has availed ordinary leave recently in the month of November, 2024, the cooling period of one year is not yet over. Thereby, the convict prisoner is not entitled to get leave. Hence, the respondent has rejected the same.

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



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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 petitioner's husband without escort.

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

- (i) The respondent is directed to grant 6 days emergency leave to the petitioner's husband namely, Nagarajan S/O.Karuppiah CP No.5864, from 19.07.2025 to 24.07.2025. The convict prisoner shall be released from the prison on 18.07.2025 at 05.30 p.m.
- (ii) He shall report back to the Superintendent of Prison, Central Prison, Madurai /third respondent, by 25.07.2025 at 10.30 am.,
- (iii) During the leave period, the convict prisoner shall appear before the Inspector of Police, Nagamalaipudukottai Police Station, Madurai



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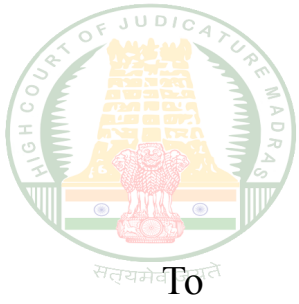
District, everyday at 10.00 a.m., without fail.

- WEB COPY (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.

[A.D.J.C., J.] & [R.P., J.]
16.07.2025

NCC : Yes / No
Index : Yes / No
vsg

Note: Issue order copy on 17.07.2025



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To
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- 1.The Secretary to Government,
Home Department (Prison),
Government of Tamil Nadu,
Secretariat,
St. George Fort,
Chennai-9.
- 2.The Deputy Inspector General of Prisons,
Madurai Range,
Madurai.
- 3.The Superintendent of Prison,
Central Prison,
Madurai.
- 4.The Superintendent of Police,
Madurai District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND

R.POORNIMA, J.

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