



W.P.Crl(MD)No.565 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 29.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

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-

Banumathi

... Petitioner

-Vs-

1. The Deputy Inspector General,
Prisons and Correctional Services Department,
Madurai Range, Madurai Central Prison Campus,
New Jail Road,
Madurai Road.

2. The Jail 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 relating to the order passed by the 1st respondent vide proceedings No.384/Utha.2/2025 dated 09.06.2025 concerning the parole condition with an escort, and set aside the same and consequently direct the respondent to grant ordinary leave without an escort



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to the husband of the petitioner, namely Alexpandian(No.6121) who is currently serving a life sentence at the Central Prison, Madurai, considering the urgent family financial distress and the medical condition of their son within the time limit fixed by this Court.

For Petitioner : Ms.K.Pandi Priya

For Respondents : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

ORDER

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

Challenging the order in No.384/Utha.2/2025, passed by the 1st respondent dated 09.06.2025, granting 21 days of ordinary leave to the petitioner's husband/ convict prisoner with escort, this writ petition is filed to quash the same, with a consequential direction to the respondents to grant such leave without escort.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that the probationary officer has recommended the case of the petitioner. However, the



local police though recommended the case of the petitioner, had stated that the convict prisoner is facing risk from the side of the opposite party and thereby they have recommended for grant of leave with escort and thereby, this Court had directed the convict prisoner to file necessary affidavit that he is going on his own peril.

4. The learned counsel for the petitioner would submit that the petitioner has sought for leave for the convict prisoner to take medical treatment to their minor son. She would further submit that though local police has stated that the petitioner is facing risk, the petitioner due to her poverty, is unable to provide for escort and that the convict prisoner has also filed the affidavit before this Court stating that he is going on leave without police escort solely at his own risk and responsibility, and he has also undertaken that the convict prisoner shall abide by any stringent conditions that may be imposed on him.

5. Taking into consideration the affidavit of the convict prisoner that he is going on his own risk and responsibility and that he is also undertaken to abide by any stringent condition we are inclined to modify the condition directing the respondents to grant leave to the convict prisoner without escort.



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6. Accordingly the respondents are directed to grant 21 days ordinary leave to the petitioner's husband/convict prisoner without escort. During the leave period, the convict prisoner shall appear before the Inspector of Police, Keerathurai Police Station, everyday at 07.00 a.m., without fail.

7. With the above direction, this Writ Petition stands disposed of. No costs.

[A.D.J.C., J.] & [R.P., J.]
29.07.2025

NCC : Yes / No
Index : Yes / No
NCC : Yes/No
PJJ

Note: Issue order copy on 31.07.2025

To

1. The Deputy Inspector General,
Prisons and Correctional Services Department,
Madurai Range, Madurai Central Prison Campus,
New Jail Road,
Madurai Road.
2. The Jail Superintendent,
Central Prison,
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3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND

R.POORNIMA, J.

PJL

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