



WP CrL.(MD) No.566 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.07.2025

CORAM:

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

AND

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

WP CrL.(MD)No.566 of 2025

and

W.P.M.P(MD)No.165 of 2025

Annapackiyam

... Petitioner

-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 Prison,
Prisons and Correctional Services Department,
Madurai Range,
Madurai.

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

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 order passed by the second respondent in No.624/உத.2/2025 dated 08.07.2025 and quash the same and consequently directing the second and third respondents to grant 21 days ordinary leave without escort to the petitioner's husband namely Pandi @ Thangapandi, So.Karuppiah convict prisoner (C.P.No.5749).

For Petitioner : Mr.S.Srikanth
For R1 to R4 : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

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

This writ petition has been filed for issuance of a Writ of Certiorarified Mandamus, to quash the impugned order in No.624/உத.2/2025 dated 08.07.2025 and further direct the respondents 2 & 3 to grant 21 days ordinary leave without escort to the petitioner's husband namely Pandi @ Thangapandi, So.Karuppiah convict prisoner (C.P.No.5749).

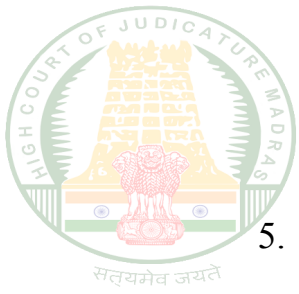
2. The case of the petitioner is that the petitioner's husband is undergoing life imprisonment at Madurai Central Prison and has been incarceration for more



than 3 years. The petitioner's younger daughter has now attained marriageable age and suitable proposals are being received for her. It is essential for her husband, as a father, to be present with them for a period of one month in order to advise, evaluate and finalize a suitable alliance for their daughter Kasthuri's marriage. The petitioner had applied for ordinary leave without escort for a period of 21 days.

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents would submit that the second respondent has passed an order, dated 08.07.2025 granting 21 days ordinary leave to the petitioner's husband with escorts.

4. In reply, the learned counsel for the petitioner would submit that the petitioner hails from poor background and she find it very difficult to take care of her daily expenses and earlier the petitioner's husband gone on ordinary leave without escort. Under such circumstances, granting ordinary leave to the husband of the petitioner with escort cannot be justified and thereby would seek for modification of the order.



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

6. The petitioner has sent representation seeking ordinary leave for her husband and that ordinary leave has been granted to the petitioner's husband with escort. It is the case of the petitioner that she hails from poor background and thereby she may not be able to afford expenses for the escort and that there is no justification for the same.

7. In such circumstances, this Court is of the opinion that imposing a condition to go on ordinary leave along with escort is without any justification. In view of the above, the condition imposed in the order dated 08.07.2025 directing the petitioner's husband to go on ordinary leave with escort is modified and he shall go on ordinary leave without escort. However, the petitioner's husband is directed to comply with the usual conditions imposed by the jail authorities and he should also report before the Inspector of Police, Saptur Police Station 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.



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

Consequently, connected miscellaneous petition is closed.

NCC : Yes / No
Index : Yes / No
am

[A.D.J.C., J.] & [R.P., J.]
18.07.2025

To

1. The Secretary to Government,
Home Department (Prison),
Government of Tamil Nadu,
Secretariat, St. George Fort,
Chennai-9.
2. The Deputy Inspector General of Prison,
Prisons and Correctional Services Department,
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
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