

W.P.CRL(MD)No.594 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.08.2025

CORAM:

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

**W.P.CRL(MD)No.594 of 2025
and
WMP.Crl(MD)No.169 of 2025**

Nazeema

... 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 Prisons,
Prison and Correctional Services,
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, calling for the records of the 2nd respondent No.691/Oo.Tha.2/2025 dated 02.07.2025 and quash the same and consequently directing the respondents to grant 21 days ordinary leave without escort to the petitioner namely Basheer Ahamed Khan s/o. Abdul Raheem Khan convict prisoner (CP No.6080) now confined at Central Prison, Madurai.

For Petitioner : Mr.S.Srikanth

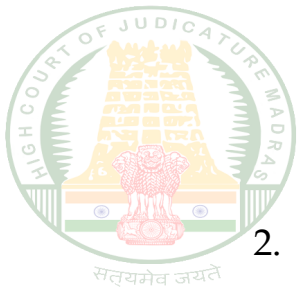
For Respondents: Mr.A.Thiruvadi Kumar

Additional Public Prosecutor

ORDER

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

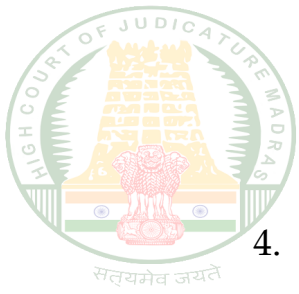
Challenging the order passed by the 2nd respondent dated 02.07.2025, rejecting the request of the petitioner for granting 21 days ordinary leave to her husband / convict prisoner, this writ petition is filed to quash the same, with a consequential direction to the respondents to grant 21 days ordinary leave to the convict prisoner without escort.



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2. The learned counsel for the petitioner would submit that seeking 21 days of ordinary leave to her husband/convict prisoner, the petitioner made a representation dated 30.06.2025 to the 2nd respondent on the ground that the petitioner is aged above 63 years, living alone facing old age health problems and to arrange money for maintaining her health condition, her husband's presence is required. However, without considering the same, the 2nd respondent has rejected the said representation citing law and order problem and danger to the convict's life. Thus, the learned counsel has prayed for setting aside the impugned order and to grant 21 days ordinary leave without escort.

3. The learned Additional Public Prosecutor who takes notice for the respondents, would submit that though the probationary officer has recommended the case of the convict prisoner, the police have not recommended stating that the victim is living in the same locality and there is a danger to the life of the convict and also a possibility of the convict being absconded, thereby, the request for leave has been rejected.



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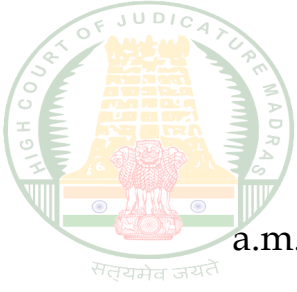
4. In reply, learned counsel for the petitioner would submit that the petitioner undertakes that he will not enter into the jurisdictional limits of Madurai. He would further submit that the convict prisoner will stay at Palladam in Tiruppur district during the leave period.

5. Recording the above submissions and considering the facts and circumstances of the case, we are inclined to grant ordinary leave to the convict prisoner for 21 days without escort, on the following conditions:

(i) The convict prisoner namely, Ahamed Khan s/o. Abdul Raheem Khan (CP No.6080) now detained in the Central Prison, Madurai, is granted ordinary leave for 21 days from 09.08.2025 to 29.08.2025.

(ii) The convict prisoner shall be released from the Prison at 5.00 p.m on 08.08.2025 and he shall return back to the Prison at 10.00 a.m on 30.08.2025.

(iii) During the period of leave, the convict prisoner shall stay at Palladam in Tiruppur district and report before the Inspector of Police, Palladam Police Station, every day at 10.30



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a.m., from 09.08.2025 onwards.

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(iv) During the leave period, the convict prisoner shall not enter into the jurisdictional limits of Madurai.

(v) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual.

6. With the above direction, the Writ Petition stands allowed.

No costs. Consequently, connected miscellaneous petition is closed.

[A.D.J.C., J.] [R.P., J.]
07.08.2025

Index : Yes / No

Neutral Citation : Yes / No

Note to Registry:

Issue order copy on 07.08.2025.

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To:

1. The Secretary to Government,
Home Department (Prison),
Government of Tamil Nadu,
Secretariat, St. George Fort,
Chennai-9.



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A.D.JAGADISH CHANDIRA, J.
AND
R.POORNIMA, J.

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2. The Deputy Inspector General of Prisons,
Prison and Correctional Services,
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.

ORDER MADE IN
W.P.CRL(MD)No.594 of 2025
DATED : 07.08.2025