



W.P.Crl(MD)No.587 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

W.P.Crl(MD)No.587 of 2025

Srinithi Iswarya

... Petitioner/

-Vs-

1.The State of Tamil Nadu,
The Deputy Inspector General of Prison(Range)
Madurai – RO – TNPCS
Madurai.

2.State of Tamil Nadu,
The Superintendent of Prisons,
Central Prison,
Madurai.

3.State of Tamil Nadu,
The Inspector of Police,
C1-Thideer Nagar Police Station,
Madurai District.

4.State of Tamil Nadu,
The Inspector of Police,
Cumbum North Police Station,
Theni District.

... Respondents



W.P.Crl(MD)No.587 of 2025

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings NO.725/Vu.Tha.2/2025 dated 09.07.2025 issued by the 1st respondent and quash the same on the ground that the same is arbitrary illegal and without legal basis and consequently, direct the respondents to release the petitioner's father namely Manoharan, S/o.Palsamy convicted Prisoner, lodged in the Central Prison, Madurai on Parole for a period of 30 days for the purpose of medical treatment of the petitioner's grandmother.

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

ORDER

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

Challenge is made to the order dated 09.07.2025 in impugned proceedings NO.725/Vu.Tha.2/2025, passed by the first respondent rejecting the grant of 30 days ordinary leave to the petitioner's father.

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

3.The learned counsel appearing for the petitioner would submit that the petitioner has sought ordinary leave for convict prisoner to attend serious illness



W.P.Crl(MD)No.587 of 2025

of her mother and also to arrange funds for educational purpose, whereas, the respondents have rejected the same.

4. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that the petitioner's father has been convicted under NDPS Act for being found in possession of commercial quantity of contraband. Apart from that, the petitioner's father is also facing trial in two cases, one before the Judicial Magistrate, Uthamapalayam in C.C.No.416 of 2023 and another case before the Principal Additional NDPS Special Court, Madurai in C.C.No.237 of 2021. He further submitted that as per Rule 21(h)3 of Tamil Nadu Suspension of Sentence Rule, the respondents have rejected the request of the petitioner's father and the convict prisoner has not completed the requisite period of two years for grant of leave.

5. Though Rule 21(h)3 of Tamil Nadu Suspension of Sentence Rules prohibits grant of leave to the convict prisoner, it would not denude the powers of this Court to grant emergency leave.

6. Taking into consideration of the submission made by the learned Additional Public Prosecutor and considering the purpose that the presence of the



W.P.Crl(MD)No.587 of 2025

convict prisoner is required for attending serious illness of his wife and for arranging funds for educational purpose, we are inclined to direct the respondents to grant 6 days emergency leave to the petitioner's father, with escort.

7. Accordingly the respondents are directed to grant emergency leave to the petitioner's father for 6 days with escort. 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.

8. 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

NS

Note: Issue order copy on 31.07.2025



W.P.Crl(MD)No.587 of 2025

WEB COPY

- To
- 1.The State of Tamil Nadu,
The Deputy Inspector General of Prison(Range)
Madurai – RO – TNPCS
Madurai.
 - 2.State of Tamil Nadu,
The Superintendent of Prisons,
Central Prison,
Madurai.
 - 3.State of Tamil Nadu,
The Inspector of Police,
C1-Thideer Nagar Police Station,
Madurai District.
 - 4.State of Tamil Nadu,
The Inspector of Police,
Cumbum North Police Station,
Theni District.
 - 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P.Crl(MD)No.587 of 2025

A.D.JAGADISH CHANDIRA, J.

AND

R.POORNIMA, J.

Ns

W.P.Crl(MD)No.587 of 2025

29.07.2025