



W.P.Crl(MD)No.574 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.07.2025

CORAM

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

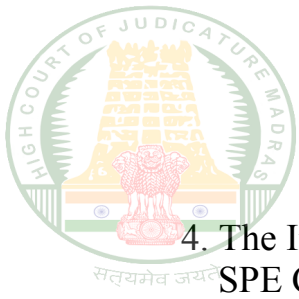
W.P.Crl.(MD)No.574 of 2025

R.Thangam

... Petitioner

Vs

1. The State of Tamilnadu,
Rep. by The Secretary,
Government of Tamilnadu,
Home Department,
Fort St. George,
Chennai- 600 009.
2. The Deputy Inspector General of Prisons &
Correctional Services,
Madurai Range,
Madurai.
3. The Superintendent of Prison,
Central Prison,
(Special Prison for Women)
Madurai.



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4. The Inspector of Police,
SPE CBI ACB,
Chennai.

... Respondents

(R4 suo-motu impleaded as per order of this Court
dated 18/07/2025 in W.P.Crl.(MD).No.574 of 2025
by ADJCJ and RPJ)

Prayer: Criminal Miscellaneous Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 3rd respondent vide proceedings in No.221/பெ.த.சு./2025 dated 24.06.2025 and quash the same as illegal and consequently direct the respondents to grant parole without Escort for the petitioner for the period of two weeks for taking medical treatment.

For Petitioner : Mr.A.Prasanna Rajadurai

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor
for R1 to R3

:Mr.C.Muthusaravanan
Special Government Pleader for R4

ORDER

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

The order dated 24.06.2025, passed by the 3rd respondent, rejecting the petitioner's request for grant of leave is under challenge in this writ petition.



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2. The petitioner is a senior citizen and she has sought for leave to perform cataract surgery and for reviewing her case, pending this writ petition, this Court, by order dated 21.07.2025 had granted one day emergency leave to the petitioner to get an opinion from the Doctor at the Aravind Eye Hospital, Madurai, along with an Escort. Pursuant to the same, the petitioner has produced the medical report before this Court today.

3. Heard the learned counsel for the petitioner, the learned Additional Public Prosecutor and the learned Special Government Pleader for the respondents.

4. The petitioner has been diagnosed and the doctors have given opinion as follows:

Diagnosis	BE Immature cataract BE Moderate nonproliferative diabetic retinopathy
Opinion & Referral	Opinion:IOL CLINIC for BE IME RE>LE with high astigmatism opinion regarding lens and cataract surgery. RETINA CLINIC for MACULAR OEDEMA, MODERATE NPDR RE.
Surgery Advice	Patient was advised Right Eye MICS(Complex Surgery) with ACRYLIC on 25.07.2025.



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5. The learned Additional Public Prosecutor would submit that the petitioner has been convicted very recently by this Court on 21.03.2025 and that she may not be eligible for ordinary leave. However, she is eligible for emergency leave on medical grounds and it could be for a maximum period of 15 days at the intervals of 6+3+3+3 days and that now she has availed one day emergency leave.

6. Mr.C.Muthusaravanan, learned Special Government Pleader appearing for the fourth respondent CBI would submit that he has no objection in granting emergency leave.

7. Taking into consideration the fact that the petitioner has already availed one day emergency leave, we direct the respondents to grant emergency leave for a period of five days which can be availed at the convenience of the petitioner to complete her cataract surgery and do necessary follow up. It is made clear that she shall be permitted to go on emergency leave with single escort. The escort charges shall be borne by the petitioner/convict prisoner.



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8. With the above direction, this Writ Petition stands disposed of.

No costs.

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

29.07.2025

Index: Yes/No

Internet: Yes/No

NCC: Yes/No

PJL

Note: Issue order copy on 31.07.2025.

To

1. The Secretary,
Government of Tamilnadu,
Home Department,
Fort St. George,
Chennai- 600 009.
2. The Deputy Inspector General of Prisons &
Correctional Services,
Madurai Range,
Madurai.
3. The Superintendent of Prison,
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A.D.JAGADISH CHANDIRA, J.
and
R.POORNIMA, J.

PJL

4. The Inspector of Police,
SPE CBI ACB,
Chennai.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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