

WP(MD). No.695 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 12.09.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN
AND
THE HONOURABLE Mrs. JUSTICE L.VICTORIA GOWRI

WP CrI. (MD). No.695 of 2025

Murugeshwari

... Petitioner

Vs

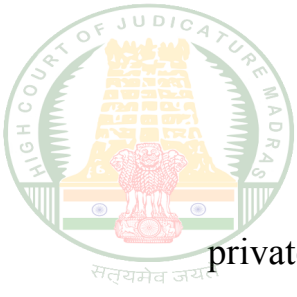
**1. The Deputy Inspector General of Prison,
Madurai Range, Madurai..**

**2. The Superintendent of Prison,,
Central Prison, Madurai..**

**3. The Commissioner of Police,
Madurai City, Madurai..**

... Respondents

PRAYER :-Writ 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 impugned order dated 08.07.2025 made in No. 702/OoTha.2/2025 passed by the 1st respondent and quash the same as illegal and devoid of merits and consequently direct the respondents to release the petitioner's son namely Marimuthu @ Dorimari, S/o.Muniasamy aged about 30 years, convict prisoner (CP No.1261) on ordinary leave/emergency leave for 30 days for taking treatment in a



WP(MD). No.695 of 2025

private hospital for his disability in his left leg due to the bone fracture forthwith.

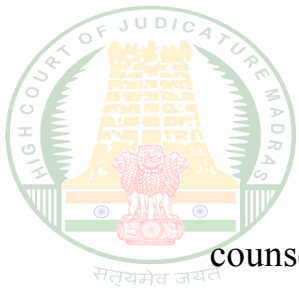
For Petitioner : Mr.J.Sankarapandian
For Respondents : Mr.B.Nambiselvan
Addl. Public Prosecutor

ORDER

(Order of the Court was made by P.VELMURUGAN,J.)

The writ petition has been filed challenging the impugned order dated 08.07.2025 made in No. 702/OoTha.2/2025 passed by the 1st respondent and consequently direct the respondents to release the petitioner's son namely Marimuthu @ Dorimari, S/o.Muniasamy aged about 30 years, convict prisoner (CP No.1261) on ordinary leave/emergency leave for 30 days for taking treatment in a private hospital for his disability in his left leg due to the bone fracture forthwith.

2. The learned counsel for the petitioner would submit that the petitioner's son is a convict prisoner. While so, his leg was broken and since the treatment given in the prison hospital and the Government Rajaji Hospital is not satisfactory, the petitioner has applied leave for taking medical treatment for the convict in a private hospital. The learned



WP(MD). No.695 of 2025

counsel would further submit that the said representation was rejected.

Therefore, the learned counsel would submit that permission may be granted to the convict for taking treatment in a private hospital.

3. The learned Additional Public Prosecutor appearing for the respondents, on the other hand, would submit that the petitioner's son was given proper treatment. However, her son did not cooperate for further treatment and survey and though the jail authorities has given sufficient treatment, due to the non cooperation of the convict prisoner, further treatment could not be continued. He would further submit that the convict prisoner has seven more cases to his credit and the same are pending trial and at this point of time, if he is given special leave, there is every possibility of absconding and the pending cases will be protracted.

4. We have heard the rival submissions and also perused the materials available on record.

5. A perusal of the records would go to show that for the fracture in the leg, treatment was given to the life convict by the prison



WP(MD). No.695 of 2025

authorities in Government Rajaji Hospital at Madurai and since the convict prisoner has not cooperated for further treatment and surgery, in order to escape from the cases, they have invented this reason of taking further treatment in a private hospital. Since there are adequate facilities available in Government Rajaji Hospital, the request of the petitioner cannot be considered. Accordingly, the Writ Petition is dismissed. However the respondents are directed to give proper treatment to the convict prisoner.

[P.V.,J]

[L.V.G.,J]

12.09.2025

NCC : Yes/No

Index : Yes/No

RR

To

1. The Deputy Inspector General of Prison,
Madurai Range, Madurai..

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

3. The Commissioner of Police,
Madurai City, Madurai..

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

4/5



WEB COPY



WP(MD). No.695 of 2025

P.VELMURUGAN, J.
AND
L.VICTORIA GOWRI, J.

RR

ORDER
IN
WP CRL.(MD) No.695 of 2025

Date : 12.09.2025