



W.P.Crl(MD)No.722 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

W.P.Crl(MD)No.722 of 2025

Jothilakshmi

... Petitioner/

-Vs-

1.The Deputy Inspector General of Prison,
Office of the Deputy Inspector General of Prison,
Madurai Central Prison Campus,
Madurai-625 016

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

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records connected with the impugned order No.682/உ.த.2/2025 dated 15.07.2025 issued by the respondent No.1 and quash the same as illegal, consequently to direct the respondents to release the petitioner's father namely Ravishanmugam (Life Convict Prisoner No. 4654) son of Pandi Periyaservai, aged about 40 years who is now confining at Madurai Central Prison from the prison on the leave for 28 days without escort by

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considering the petitioner's representation dated 24.06.2025 in accordance with law.

For Petitioner : Mr.R.Prakash
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 15.07.2025 in impugned order No. 682/2025, passed by the first respondent rejecting the grant of 28 days ordinary leave without escort 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 earlier the convict prisoner was granted emergency leave by this Court and during such time, the convict prisoner was allowed to go without escort and thereby he prays for without escort.

4.When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that



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the the petitioner's father was convicted for offence under Sections 396 and 395 IPC and sentenced to undergo life imprisonment. The learned Additional Public Prosecutor further submitted that as per Rule 35 of Tamil Nadu Suspension of Sentence Rule, the respondents have rejected the request of the petitioner's father.

5.Though Rule 35 of Tamil Nadu Suspension of Sentence Rules prohibits to grant of leave to the convict prisoner, it would not denude the powers of this Court to grant emergency leave.

5.Taking into consideration of the submission made by the learned Additional Public Prosecutor and considering the purpose that the presence of the convict prisoner is required for selling his ancestral properties and attending serious illness of his father, we are inclined to direct the respondents to grant three days emergency leave to the petitioner's father, without escort.

6.Accordingly the respondents are directed to grant emergency leave to the petitioner's father for three days without escort. During the leave period, the convict prisoner shall appear before the Inspector of Police, Keeraithurai Police Station, everyday at 10.30 a.m., without fail.



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7. With the above direction, this Writ Petition stands disposed of. No costs.

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[A.D.J.C., J.] & [R.P., J.]
28.07.2025

NCC : Yes / No
Index : Yes / No
NS

Note: Issue order copy on 30.07.2025

To

1. The Deputy Inspector General of Prison,
Office of the Deputy Inspector General of Prison,
Madurai Central Prison Campus,
Madurai-625 016
2. The Superintendent of Prison,
Madurai Central Prison,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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AND

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R.POORNIMA, J.

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