



W.P.Crl(MD)No.743 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.743 of 2025

and

W.M.P(MD)No.208 of 2025

Muthu Beevi Ibrahimsha

... Petitioner

-Vs-

1.The Home Secretary,
Home Department (Prison),
Secretariat, Fort St.George,
Chennai- 600 009.

2.The Deputy Inspector General of Prisons,
Vellore Range, Vellore-632 002.

3.The Superintendent of Prison,
Central Prison,
Vellore-632 002.

... Respondents

PRAYER: 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 proceedings in No.2049-jF/3-2025 by the 3rd respondent dated 01.04.2025 and quash the same and direct the 2nd respondent to grant 28 days Ordinary leave



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without escort to the petitioner's Grandson, Mohammed Meera Rasuldeen, son of Mohammed Meera, Convict No.4157(PID No:42416) who is currently lodged in Central Prison, Vellore.

For Petitioner : Mr.P.M.Basil

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 01.04.2025 in No.2049-jF/3-2025, passed by the third respondent rejecting the grant of ordinary leave to the petitioner's grandson.

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.



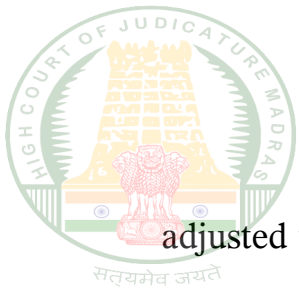
4. When the matter is taken up for hearing today, the learned Additional

Public Prosecutor appearing for the respondents, on instructions, submitted that since the petitioner's grandson has been convicted for the offence under NDPS Act for having found to be in possession of commercial quantity of contraband, the respondent have not granted leave in view of the bar as per Rule 21(3) of the Tamil Nadu Suspension of Sentence Rule.

5. Though the 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.

6. 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 partition of ancestral property, we are inclined to direct the respondents to grant three days emergency leave to the convict prisoner/petitioner's grandson, with single escort.

7. Accordingly the respondents are directed to grant emergency leave to the convict prisoner/petitioner's grandson for three days with single escort and the escort charges shall be borne by the petitioner and if necessary, the same shall be



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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. Consequently, connected miscellaneous petition stands closed.

[A.D.J.C., J.] & [R.P., J.]
29.07.2025

NCC : Yes / No
Index : Yes / No
NCC : Yes/No
PJJ

Note: Issue order copy on 31.07.2025

To

1. The Home Secretary,
Home Department (Prison),
Secretariat, Fort St. George,
Chennai- 600 009.
2. The Deputy Inspector General of Prisons,
Vellore Range, Vellore-632 002.
3. The Superintendent of Prison,
Central Prison,
Vellore-632 002.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND

R.POORNIMA, J.

PJL

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