



W.P.Crl(MD)No.772 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 31.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

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Melrose

... Petitioner

-Vs-

1.The Secretary to Government,
Home Department(Prison)
Government of Tamil Nadu,
Secretariat,
St George Fort,
Chennai-9.

2.The Deputy Inspector of Prisons
Madurai Range,
Madurai.

3.The Superintendent of Prison,
Central Prison, Palayamkottai,
Tirunelveli District.

4.The Superintendent of Police,
Kanyakumari District,
Kanyakumari.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to grant 7 days emergency leave with escort to the petitioner's husband namely Joklin, S/o.Berkmas, Convict Prisoner (PID 462497) now confined under Central Prison, Palayamkottai in light of the petitioner various health ailments based on the petitioner's representation dated 04.07.2025 and for other reliefs.

For Petitioner : Mr.V.Baskaran
For Respondents : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

ORDER

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

This writ petition has been filed for issuance of a writ of Mandamus directing the third respondent to grant 7 days emergency leave with escort to the petitioner's husband namely Joklin, S/o.Berkmas, Convict Prisoner (PID 462497) now confined under Central Prison, Palayamkottai, in light of the petitioner various health ailments, based on the petitioner's representation dated 04.07.2025.

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



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3. The learned counsel appearing for the petitioner would submit that though the representation of the petitioner has been considered, since the petitioner and his family members are in a very poverty situation, the convict prisoner may be permitted to go on leave with single escort.

4. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that the representation of the petitioner has been considered and emergency leave has been granted to the convict prisoner for 3 days with escort.

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 attending serious illness of his wife, we are inclined to direct the respondents to grant 3 days emergency leave to the petitioner's husband, with single escort.

6. Accordingly the respondents are directed to grant emergency leave to the petitioner's husband for 3 days with single 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.



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7. 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.]
31.07.2025

NCC : Yes / No
Index : Yes / No
NS

Note: Issue order copy on 01.08.2025

To

1. The Secretary to Government,
Home Department (Prison)
Government of Tamil Nadu,
Secretariat,
St George Fort,
Chennai-9.
2. The Deputy Inspector of Prisons
Madurai Range,
Madurai.
3. The Superintendent of Prison,
Central Prison, Palayamkottai,
Tirunelveli District.
4. The Superintendent of Police,
Kanyakumari District,
Kanyakumari.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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AND

R.POORNIMA, J.

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