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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2025

CORAM:

THE HONOURABLE **MR.JUSTICE A.D.JAGADISH CHANDIRA**

AND

THE HONOURABLE **MRS.JUSTICE R.POORNIMA**

W.P.Crl(MD)No.755 of 2025
and
W.M.P.Crl(MD).No.212 of 2025

Gunasundari ... Petitioner/
Mother of the Detenue

-Vs-

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

2.The Deputy Inspector General of Prison,
Prisons and Correctional Services Department,
Madurai Range,
Madurai.

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

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4.The Superintendent of Police,
Namakkal 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 of the order passed by the second respondent in No. 663 /உ.தி.2/2024, dated 22.07.2025 and quash the same and consequently, directing the second and third respondents to grant 21 days ordinary leave without escort to the petitioner's son namely Raghu @ Sridhar S/o.Devaraj, convict prisoner (C.P.No. 6112, PID No.172620).

For Petitioner : Mr.S.Srikanth
For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

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

The order dated 22.07.2025, passed by the second respondent in No.663 /உ.தி.2/2024, rejecting the petitioner's request for grant of ordinary leave, is under challenge in this writ petition.

2.The learned Additional Public Prosecutor appearing for the respondents would submit that though the petitioner's son is entitled for ordinary leave, the respondent taking into consideration the risk to his life, the possibility of absconding and the law and order situation, has rejected the request of the convict prisoner.

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3.Per contra, the learned counsel appearing for the petitioner would submit that the convict prisoner's brother was earlier granted leave with escort. Apart from that, two other co-accused in this case namely, Selvaraj and Sathish Kumar, who are similarly placed as the present convict prisoner, have been granted leave without escort. He would further submit that the convict prisoner has filed an affidavit before this Court stating that he is aware of the consequences and that leave may be granted to him at his own risk and responsibility and he will abide by all conditions imposed by the prison authorities and hence, he prays for without escort.

4.Recording the submission made by the learned Additional Public Prosecutor and considering the purpose for which the leave sought is for, we are inclined to direct the respondents to grant twenty one days ordinary leave to the petitioner's son without escort.

5.Accordingly, the respondents are directed to grant ordinary leave to the petitioner's son for 21 days without escort. During the leave period, the convict prisoner shall appear before the Inspector of Police, Molasi Police Station, Namakkal District, everyday at 07.00 p.m., without fail. It is made clear the

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convict prisoner or his associates shall not give any interview in print or visual media including the social media.

6.With the above direction, this Writ Petition stands disposed of. No costs. Consequently, the connected writ miscellaneous petition stands closed.

[A.D.J.C., J.] & [R.P., J.]
18.08.2025

NCC : Yes / No
Index : Yes / No
vsg

Note:Issue Order Copy on 21.08.2025.

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To:

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

2.The Deputy Inspector General of Prison,
Prisons and Correctional Services Department,
Madurai Range,
Madurai.

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

4.The Superintendent of Police,
Namakkal District.

5.The Inspector of Police,
Molasi Police Station,
Namakkal District.

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

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A.D.JAGADISH CHANDIRA, J.

AND

R.POORNIMA, J.

vsg

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