



W.P.Crl(MD)No.771 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 31.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

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M.Muthuraj

... Petitioner

-Vs-

1.The Superintendent of Prison,
Central Prison,
Trichy-620 020

2.The Superintendent of Police,
O/o.The Superintendent of Police,
Pudukkottai 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 relating to the impugned order passed by the 1st respondent vide proceedings in No.9449/ThaKu.4/2025 dated 22.07.2025 and quash the same as illegal and consequently direct the 1st respondent to grant 10 days emergency leave without police escort to the petitioner's brother namely Balamurugan @ Balu, S/o.Manokaran, Convict Prisoner, PID No.237090 confined at Central Prison, Trichy for attending the



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serious illness of his mother namely Mrs.Rajeswari.

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For Petitioner : Mr.K.A.S.Prabhu
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 22.07.2025 passed in No. 9449/ThaKu.4/2025 by the first respondent rejecting the grant of 10 days of emergency leave to the petitioner's brother.

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 writ petitioner is the brother of the convict prisoner and the convict prisoner is in incarceration for more than 4 years and sought for 10 days emergency leave for attending serious illness of his mother.



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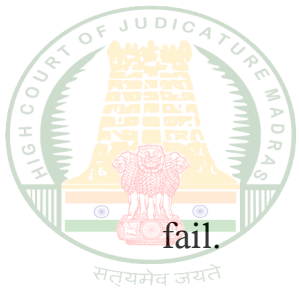
4. When the matter is taken up for hearing today, the learned Additional

Public Prosecutor appearing for the respondents on instructions, submitted that the petitioner has sought for emergency leave for 10 days for his brother, but the authorities holding that emergency leave cannot be given at a stretch for 10 days had rejected the request of the petitioner.

5. Though Rule 13 of Tamil Nadu Suspension of Sentence Rules prohibits 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 attending serious illness of his mother, we are inclined to direct the respondents to grant six days emergency leave to the petitioner's brother, without escort.

7. Accordingly the respondents are directed to grant emergency leave to the petitioner's brother for six days without escort. During the leave period, the convict prisoner shall appear before the Inspector of Police, Thiruchitrambalam Police Station, Thanjavur District, everyday at 09.00 a.m., and 07.00 p.m., without



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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.]
31.07.2025

NCC : Yes / No
Index : Yes / No
NS

Note:Issue order copy on 01.08.2025
To

- 1.The Superintendent of Prison,
Central Prison,
Trichy-620 020
- 2.The Superintendent of Police,
O/o.The Superintendent of Police,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND

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