



W.P.Crl.(MD) No.887 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

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Velmani

... Petitioner

-Vs-

1.The Deputy Inspector General of Prison,
O/o.The Deputy Inspector General of Prison,
and Correctional Services,
Madurai Range, Madurai Central Prison Campus,
New Jail Road, Madurai.

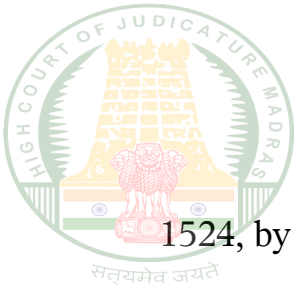
2.The Superintendant of Prison,
Central Jail,
Madurai.

3.The Superintendant of Police,
O/o.The Superintendant of Police,
Theni 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 passed by the first respondent in எண்.3083/தகு.2/2025 dated 30.07.2025 and quash the same as bad in law and further direct the respondents 1 and 2 to grant emergency leave without escort to the petitioner's husband, namely, Dharmar, S/o.Palsamy Thevar, C.P.No.

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1524, by considering the petitioner's representation dated 22.07.2025.

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For Petitioner : Mr.A.Karthika

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 30.07.2025 passed in எண்.3083/தகு. 2/2025 by the first respondent rejecting the grant of emergency leave to the petitioner's husband.

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

3.The learned Additional Public Prosecutor appearing for the respondents would submit that the convict prisoner has a pending case in C.C.No.44 of 2014, before the Ist Additional Special Court for NDPS Act Cases, Madurai. Therefore, the respondents have rejected the petitioner's request for the grant of emergency leave to the convict prisoner, citing Rule 35 of Tamil Nadu Suspension of Sentence Rules.



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4.The learned counsel appearing for the petitioner would submit that the petitioner is the wife of the convict prisoner and he is in incarceration for more than 7 years and sought for emergency leave to select the suitable groom for their daughter.

5.Though Rule 35 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 the submission made by the learned Additional Public Prosecutor and considering the purpose for which the leave is sought for, we are inclined to direct the respondents to grant six days emergency leave to the petitioner's husband, with two escorts.

7. Accordingly, the writ petition is disposed of with the following directions:

- (i) The respondents are directed to grant six days emergency leave to the petitioner's husband, namely, Dharmar, S/o.Palsamy Thevar, from 12.08.2025 to 17.08.2025. The convict prisoner shall be released from the prison on 11.08.2025 at 5.30 p.m.



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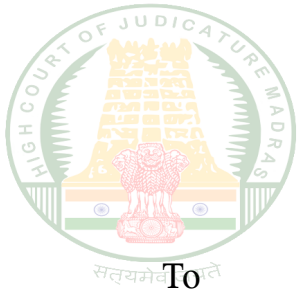
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- (ii) He shall report back to the Superintendent of Prison, Central Prison, Madurai / second respondent, by 18.08.2025 at 10.00 am.,
- (iii) The third respondent shall provide two escorts to accompany the convict prisoner.
- (iv) The escort charges 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.
- (v) The petitioner shall produce all necessary documents, along with a copy of this order, before the jail authorities,
- (vi) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual.
- (vii) No costs.

[A.D.J.C., J.] & [R.P., J.]
07.08.2025

NCC : Yes / No
Index : Yes / No
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Note: Issue order copy on 08.08.2025



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To

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- 1.The Deputy Inspector General of Prison,
O/o.The Deputy Inspector General of Prison,
and Correctional Services,
Madurai Range, Madurai Central Prison Campus,
New Jail Road, Madurai.
- 2.The Superintendant of Prison,
Central Jail,
Madurai.
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AND

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