



W.P.Crl(MD)No.1001 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 26.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

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Sajeena

... Petitioner

-Vs-

- 1.The Deputy Inspector General of Prisons,
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 Superintendent of Police,
O/o.The Superintendent of Police,
Kollam District,
Kerala State.
- 4.The Inspector of Police,
Kundara Police Station,
Elampalloor,
Kollam District,
Kerala State.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order passed by the respondent No.1 in எண்.3168/தகு.2/2025 dated 05.08.2025 and quash the same as bad in law and further direct the respondent Nos.1 and 2 to grant emergency leave without escort to my husband namely Muthalif S/O Nousham, C.P.No.2811 by considering the representation dated 28.07.2025.

For Petitioner : Dr.Lakshmi Prasanna Komara
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 05.08.2025 passed in எண்.3168/தகு.2/2025 by the first respondent rejecting emergency leave to the petitioner's husband.

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



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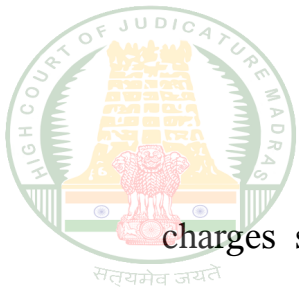
3.The learned Additional Public Prosecutor appearing for the respondents submitted that the request of the convict prisoner was rejected by the respondents on the ground that the petitioner has not enclosed necessary medical certificates.

4.Per contra, the learned counsel appearing for the petitioner submitted that the medical certificates are enclosed at Page Nos.16 to 56 of the typed set of papers. Hence, he seeks emergency leave.

5.Though Rule 35 of Tamil Nadu Suspension of Sentence Rules does not provide for granting leave, 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 for taking his child, we are inclined to direct the respondents to grant 3 days emergency leave to the petitioner's husband, with escort.

7.Accordingly, the respondents are directed to grant 3 days emergency leave to the petitioner's husband with sufficient and strong escort. The escort



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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.

8. With the above direction, this Writ Petition stands disposed of. No costs.

[A.D.J.C., J.] & [R.P., J.]
26.08.2025

NCC : Yes / No

Index : Yes / No

vsg

Note: Issue order copy on 28.08.2025



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3. The Superintendent of Police,
O/o. The Superintendent of Police,
Kollam District,
Kerala State.
4. The Inspector of Police,
Kundara Police Station,
Elampalloor,
Kollam District,
Kerala State.
5. 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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