



WP.Crl.(MD) No.1062 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 26.09.2025

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

and

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

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Malarvizhi

... 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 Superintendent of Prion,
Central Jail, Madurai.

3.The Superintendent of Police,
O/o the Superintendent of Police,
Madurai District.

4.The Inspector of Police,
Usilampatti Police Station
Usilampatti, Madurai District.

....Respondents

Prayer:-Writ Petition Criminal is 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 No.3188/Tha.Ku.2/2025 dated 06.08.2025 and quash the same as bad in law and further direct the respondents 1 and 2 to grant emergency leave without escort to



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petitioner's husband namely Markandan s/o Veeranan C.P.No.2887 (PID No.543627) who is languishing in the Madurai Central Prison by considering the petitioner's representation dated 31.07.2025.

For petitioner : Mr.Lakshmi Prasanna

For Respondents : Mr.A.Thiruvai Kumar

Additional Public Prosecutor

ORDER

This petition is filed for issuance of Certiorarified Mandamus to quash the order passed by the first respondent in No.3188/Tha.Ku.2/2025 dated 06.08.2025 and for consequential direction to the respondents 1 and 2 to grant emergency leave without escort to the petitioner's husband namely Markandan s/o Veeranan C.P.No.2887 (PID No.543627) who is languishing in the Madurai Central Prison by considering the petitioner's representation dated 31.07.2025.

2. The learned counsel for the petitioner would submit that the petitioner made a representation for emergency leave for his husband, who is languishing in Madurai Central Prison, to take care of his mother since his mother is suffering from Type II DM, Severe Hypertension, SysHT/CCF (Congestive cardiac failure).

3. Heard both sides and perused the records.



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4. Though the petitioner is not eligible for ordinary leave since he was convicted for the offence under Sections 8(c) r/w 20(b)(ii)(C), 25, 27-A, 28 and 29 of NDPS Act, the petitioner made a representation seeking ordinary leave for taking care of the ailing mother and the medical certificate shows that she is suffering from Type II DM, Severe Hypertension, SysHT/CCF (Congestive cardiac failure).

5. Under such circumstances, this Court is inclined to grant special leave for 3 days from 01.10.2025 to 03.10.2025 with necessary escort. The petitioner shall leave at 10 a.m on 01.10.2025 and to surrender at 10 a.m on 04.10.2025. During that period, the petitioner shall not involve in any other offence and should not tamper witnesses in pending cases.

6. With the above direction, this petition is disposed of.

(P.V.,J.) (L.V.G.J.,)
26.09.2025

Index : Yes/No
Internet : Yes/No
CM



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P.VELMURUGAN,J.
and
L. VICTORIA GOWRI ,J.

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