



W.P.Crl(MD) No.1055 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

W.P.Crl(MD)No.1055 of 2025

Pandiyarajan @ Pandiyaraja,
C.P.No.5943,
confined at
Central Prison, Madurai.

... Petitioner

-Vs-

1. The Deputy Inspector General of Prison,
(Range), Madurai,
Madurai.

2. The Superintendent,
Central Prison,
Madurai-16.

3. The Inspector of Police,
Theni Police Station,
Theni District.
[In Crime No.918 of 2016]

... 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



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Order No.745/உத.2/2025, dated 15.07.2025 and quash the same as illegal and

consequently direct the respondent to grant Ordinary Leave of the petitioner,

namely Pandiyarajan @ Pandiyaraja in C.P.No.5943, Central Prison, Madurai.

For Petitioner : M/s.S.Prabha

For Respondents : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

ORDER

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

The order dated 15.07.2025, passed by the first respondent, rejecting the petitioner's request for grant of ordinary leave without escort, is under challenge in this writ petition.

2. The writ petitioner is the convict prisoner and for arranging money for his daughter's education, he has sought for twenty one(21) days ordinary leave to the convict.

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that the petitioner was recently given ordinary leave by this Court by order dated



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01.04.2025 in W.P(MD)No.6923 of 2025 for 21 days and now the cooling-off period of one year has not got over. Further, the Probation Officer has also stated that the victim's family has expressed apprehension with regard to the safety and thereby the respondents rejected his request.

4. Per contra, Ms.S.Prabha, learned counsel for the petitioner would submit that this Court had earlier granted ordinary leave to the petitioner by order dated 01.04.2025 in W.P(MD)No.6923 of 2025 and the petitioner had gone on 21 days ordinary leave and during such time, no untoward incident has happened and hence, she prays for ordinary leave without escort.

5. Though the petitioner is not eligible for grant of ordinary leave in view of the cooling-off period not getting over, it would not denude the powers to grant six days emergency leave with single escort.

6. Accordingly, the respondents are directed to grant emergency leave to the convict prisoner for six days with single escort and 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.



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7. With the above direction, this Writ Petition stands disposed of. No Costs.

[A.D.J.C., J.] & [R.P., J.]
22.08.2025

NCC : Yes / No

Index : Yes / No

PJL

Note: Issue order copy on 28.08.2025.

To

1. The Deputy Inspector General of Prison,
(Range), Madurai,
Madurai.
2. The Superintendent,
Central Prison,
Madurai-16.
3. The Inspector of Police,
Theni Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND

R.POORNIMA, J.

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