

W.P.Crl(MD) No.1071 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

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Selvarani

... 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 Prison,
Central Jail,
Madurai.

3.The Superintendent of Police,
O/o.The Superintendent of Police,
Ramanathapuram District.

4.The Inspector of Police,
Kalaiyar Kovil Police Station,
Sivagangai.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to direct the respondent No.1 in No. 3231/Tha.Ku.2/2025 dated 12.08.2025 and quash the same as bad in law and in the nature of writ directing the respondent Nos.1 and 2 to grant emergency leave without escort to the petitioner's husband namely, Kaleeswaran, son of Karumegam C.P.No.2131, who is languishing in the Madurai Central Prison by considering the petitioner's representation dated 05.08.2025.

For Petitioner : Dr.Lakshmi Prasanna Komara

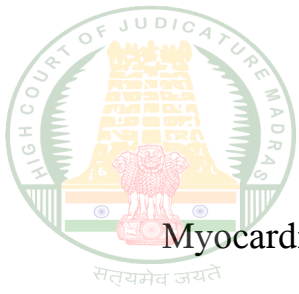
For Respondents : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

ORDER

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

Prayer in this writ petition is to direct the respondents to grant emergency leave without escort to the petitioner's husband/convict namely, Kaleeswaran, son of Karumegam C.P.No.2131, confined at Central Prison, Madurai, by considering the petitioner's representation dated 12.08.2025.

2. The case of the petitioner is that her husband who is the convict prisoner is suffering from Coronary Artery Disease/Old AWMI, ACS Inferior Wall



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Myocardial Infarction, Unstable Angia and he has to get an opinion from the specialist and thereby she has sought for emergency leave for her husband.

3. The learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that since the petitioner had not enclosed the medical certificates, the respondents have rejected the request of the petitioner. Further the victim was also earlier living in Ramanathapuram and the convict prisoner is also facing yet another case under the NDPS Act and thereby, the respondents have rejected the request of the petitioner.

4. Per contra, the learned counsel for the petitioner would submit that the petitioner has enclosed the medical certificate issued by the Professor and Chief Unit-II, Department of Cardiology, Government Rajaji Hospital, Madurai. She would also submitted that since the victim is residing at Ramanathapuram, the petitioner and family members are now shifted to Kalayarkovil at Sivagangai District.

5. Though there is a bar under Rule 35 of Tamil Nadu Suspension of Sentence Rules to grant of leave to the convict prisoner, it would not denude the powers of this Court to grant emergency leave.



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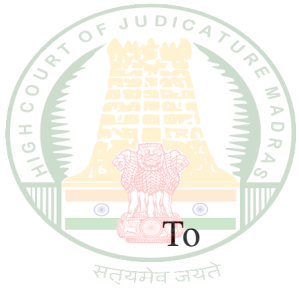
WEB COPY 6. Recording the submission made by the learned Additional Public Prosecutor and considering the purpose for which the leave is sought for, we are inclined to direct the respondents to grant six (6) days emergency leave to the petitioner with single escort.

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

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

[A.D.J.C., J.] & [R.P., J.]
28.08.2025

NCC : Yes / No
Index : Yes / No
PJM



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- 2.The Superintendent of Prison,
Central Jail,
Madurai.
- 3.The Superintendent of Police,
O/o.The Superintendent of Police,
Ramanathapuram District.
- 4.The Inspector of Police,
Kalaiyar Kovil Police Station,
Sivagangai.
- 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.

PJL

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