

W.P.Crl(MD)No.1070 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 12.09.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN
and
THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

W.P.Crl(MD)No.1070 of 2025

Aysha

... Petitioner

vs.

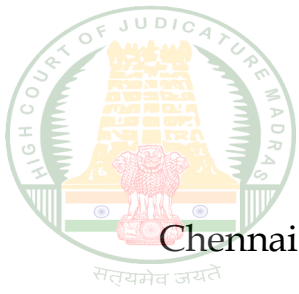
1. The Deputy Inspector General of Prison,
O/o. the Deputy Inspector General of Prison
and Correctional Services,
Madurai Range,
Madurai Central Prison Campus,
New Jail Road, Madurai.

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

3. The Commissioner of Police,
O/o. the Commissioner of Police,
Chennai City.

4. The Inspector of Police,
Central Bureau of Investigation,
III Floor, E.V.K.Sampath Building,
College Road,
Chennai - 600 006.

5. The Inspector of Police,
Thuraiyakkam Police Station,



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... Respondents

WEB COPY Prayer:- Petition filed under Article 226 of the Constitution of India, to direct the respondent Nos.1 and 2 to extend the emergency leave for the period of 10 days to the petitioner's father namely, Sulaiman Hussain Niyas Khan Abdul Rasak (PID.No.299381) (C.P.No. 801) by considering the representation, dated 18.08.2025.

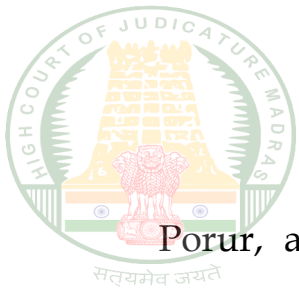
For Appellant	: Mr.S.M.A.Jinnah
For R1 to R3	: Mr.T.Senthil Kumar Additional Public Prosecutor
For R4	: Mr.C.Muthusaravanan Special Public Prosecutor for CBI cases

ORDER

(Order of the Court was made by **P.VELMURUAN, J.**)

This Habeas Corpus Petition has been filed to direct the respondent Nos.1 and 2 to grant emergency leave for the period of 10 days to the petitioner's father namely, Sulaiman Hussain @ Niyas Khan @Abdul Rasak (PID.No.299381) (C.P.No.801) by considering the representation, dated 18.08.2025.

2. The learned counsel for the petitioner would submit that the wife of the convict is suffering from heart ailment and is taking treatment in Sri Ramachandra Medical College and Research Institute,



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Porur, and since she has to undergo a major surgery for his heart

ailment, the petitioner/daughter of the convict made a representation dated 18.08.2025, to the 2nd respondent/Superintendent of Prison, Central Jail, Madurai, seeking 10 days of emergency leave and the same has not been considered till date. He further submitted that even on earlier occasions, the petitioner's father was granted leave and during the leave period, he had not misused the liberty granted to him and therefore, he may be granted 10 days of emergency leave.

3. The learned Additional Public Prosecutor would submit that the petitioner used to submit forged medical certificates and obtain leave on earlier occasions and therefore, suspecting the certificates obtained by the petitioner, the respondents had conducted an enquiry and the enquiry revealed that the certificates already produced by the petitioner are forged and therefore, a case was registered in Crime No.2 of 2025 which is under investigation.

4. Considering the antecedents of the petitioner, this Court is of the view that the petitioner has not approached this Court



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with clean hands. Therefore, this Court is not inclined to grant the relief

under Article 226 of the Constitution of India and therefore, the writ

petition is dismissed. However, the respondents/police is at liberty to

proceed further with the investigation in Crime No.2 of 2025 in

accordance with law. No costs.

[P.V, J.] [L.V.G, J.]

12.09.2025

Index : Yes / No

Neutral Citation : Yes / No

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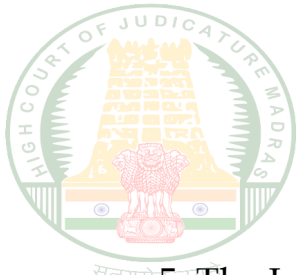
To

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 Commissioner of Police,
O/o. the Commissioner of Police,
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5. The Inspector of Police,
Thuraipakkam Police Station,
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AND
L.VICTORIA GOWRI, J.

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