



W.P.Crl(MD)No.1193 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 29.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

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Chithrasevi

... Petitioner

-Vs-

1.The Director General of Prison,
Directorate of the Central Prison,
Tamil Nadu Prison,
Veannels Road, Egmore,
Chennai-600 008.

2.The Deputy Inspector General of Prison,
Madurai Range,
Madurai Central Prison,
Madurai City.

3.The Superintendant of Prison,
Madurai Central Prison,
Madurai City.

4.The Superintendant of Police,
Sivagangai District.

5.The Inspector of Police,
Kaliyarkovil Police Station,
Sivagangai District.

... 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 impugned order passed by the 3rd respondent vide his proceedings in No.3349/tha.ku.2/2025 dated 21.08.2025 and quash the same as illegal and consequently direct the third respondent to grant emergency leave for 6 days from 31.08.2025 to 05.09.2025 to the petitioner's husband Kalyanasundaram, son of Kannuchamy in C.P.No.7375 convict prisoner confined at 3rd respondent prison to attend the house warming function to be held on 04.09.2025.

For Petitioner : Mr.J.Vijayaraja
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 21.08.2025 passed in No. 3349/tha.ku.2/2025 by the third respondent rejecting the request of 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 convict prisoner sought leave for attending marriage function of his sister, which is scheduled to be conducted on 04.09.2025. He would further submit that since the convict prisoner had got pending cases against him, the respondents have rejected the request citing Rule 35 of Tamil Nadu Suspension of Sentence Rules.

4.The learned counsel appearing for the petitioner submitted that the writ petitioner is the wife of the convict prisoner and earlier the convict prisoner was granted emergency and during such time, no untoward incident had happened and hence, he prays for emergency leave.

5.Taking into consideration of the submission made by the learned Additional Public Prosecutor and considering the purpose that the presence of the convict prisoner is required to attend the marriage function of his sister, which is scheduled to be conducted on 04.09.2025, we are inclined to direct the respondents to grant one day emergency leave to the petitioner's husband, with single escort.



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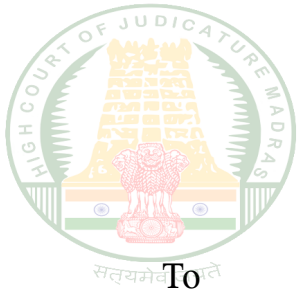
6. Accordingly the respondents are directed to grant one day emergency leave to the petitioner's husband with single escort. The escort charges shall be borne by the petitioner and if necessary, the same shall be adjusted from the income earned by the convict prisoner during the imprisonment period.

7. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition stands closed.

[A.D.J.C., J.] & [R.P., J.]
29.08.2025

NCC : Yes / No
Index : Yes / No
NS

Note: Issue order copy on 01.09.2025



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To

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Sivagangai District.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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