



W.P.CrL.(MD) No.1206 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MS.JUSTICE R. POORNIMA**

W.P.CrL.(MD) No.1206 of 2025

Selvi

... Petitioner

Vs

1. The Deputy Inspector General Of Prison, (Madurai Range),
Prison and Correctional Services,
Madurai.

2. The Superintendent,
Central Prison,
Madurai.

3. The Inspector of Police,
Othakadai Police Station,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the Impugned Order in No.899/U.Th.2/2025 dated 26.08.2025 on the file of the 1st respondent and quash the same as illegal and



W.P.CrL.(MD) No.1206 of 2025

WEB COPY

consequently direct the respondents to release the petitioner's son, namely Rajesh Kannan, PID No.63851 S/o.Shanmugam on ordinary leave/emergency leave for 21 days, for arranging money and to attend marriage ceremony on 04.09.2025 at Arulmighu Kaala Mega Perumal Temple, Thirumogur, Madurai and other ceremonies at his home, Maruthupandiyar Nagar, Thathankulam, Madurai.

For Petitioner : Mr. M.Jegadeesh Pandian,

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

The petitioner has filed this petition seeking to quash the impugned order passed by the first respondent in No.899/U.Tha.2/2025 dated 26.08.2025 and direct the respondents to release the petitioner's son for attending his sister marriage on 04.09.2025.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.



W.P.CrL.(MD) No.1206 of 2025

WEB COPY

3.The learned Additional Public Prosecutor for the respondents would submit that the petitioner's son is a convict prisoner and he had been convicted for the offence under the NDPS Act and further, there are two cases pending against the petitioner's son at the trial stage and thereby, the respondents have rejected the representation of the petitioner citing Rule 35 and 21(H)(3) of the Suspension of Sentence Rules.

4.Though the rules do not provide for grant of emergency leave, it would not denude the powers of this Court to grant emergency leave

5.Taking into consideration of the submission made by the learned Additional Public Prosecutor and considering that the petitioner's son a convict prisoner requires to attend the marriage of his sister, we are inclined to direct the respondents to grant 3 days emergency leave to the petitioner's son, with escort.

6.Accordingly the respondents are directed to grant 3 days emergency leave to the petitioner's son with sufficient escort, from 03.09.2025 to 05.09.2025. The



W.P.CrL.(MD) No.1206 of 2025

WEB COPY

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.

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

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
LR

To:

1. The Deputy Inspector General Of Prison, (Madurai Range),
Prison and Correctional Services,
Madurai.

2. The Superintendent,
Central Prison,
Madurai.



W.P.Crl.(MD) No.1206 of 2025

WEB COPY

3. The Inspector of Police,
Othakadai Police Station,
Madurai District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

NOTE: Issue order copy on 01.09.2025



WEB COPY



W.P.Crl.(MD) No.1206 of 2025

A.D.JAGADISH CHANDIRA, J.
AND
R.POORNIMA, J.

LR

W.P.Crl.(MD) No.1206 of 2025

29.08.2025