



WP.Crl.(MD)No.1609 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 24.10.2025

CORAM :

**THE HONOURABLE Mr. JUSTICE P.VELMURUGAN
and
THE HONOURABLE Mrs. JUSTICE L.VICTORIA GOWRI**

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G.Divya Bharathi

... Petitioner

vs.

1.The State of Tamil Nadu, Represented by its,
The Secretary to Government of Tamilnadu,
Home (Prison-IV) Department,
The Secretariat of Tamilnadu,
Chennai-600 009.

2.The Deputy Inspector General of Prison,
Trichy Range,
Trichy Central Prison,
Trichy-620 020.

3.The Superintendent,
Trichy Central Prison,
Trichy-620 020.

4.The Superintendent of Police,
Office of Superintendent of Police,
Trichy-620 020.



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5.The Inspector of Police,
G-1 Police Station,
Usilampatti Thaluk,
Madurai-625 532.

... Respondents

PRAYER: Writ Petition Criminal is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the vide Impugned Order No.RO-TRY/328/2025-CA, dated 26.08.2025, issue by the 2nd respondent and quash the same and consecutively direct the 2nd respondent to grant leave for 21 days without escort to the detenue Mayapandi @ A.Gowtham, S/o.Ayyadurai aged about 37 years, convict No.25193 detained at Central Prison, Trichy.

For Petitioner	: Mr.S.Manoharan
For Respondents	: Mr.B.Nambi Selvan
	Additional Public Prosecutor

ORDER

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

The prayer in the writ petition is to quash the impugned order passed by the second respondent in No.RO-TRY/328/2025-CA, dated 26.08.2025 and consequently direct the 2nd respondent to grant leave for 21 days without escort to the detenue Mayapandi @ A.Gowtham, S/o.Ayyadurai aged about 37 years, convict No.25193 detained at Central Prison, Trichy.



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2. It is seen that the petitioner is the wife of the detenu and the detenu has been convicted under Section 8(c) r/w.20(b)(ii)(C) r/w.29(1) of NDPS Act and sentenced to undergo rigorous imprisonment for a period of 14 years and to pay a fine of Rs.1,40,000/- in default to undergo further rigorous imprisonment for a period of two years

3. The request of the petitioner for granting ordinary leave to her husband/convict prisoner was rejected citing Rule 21(h)(3) of the Tamil Nadu Suspension of Sentence Rules, 1982, which acts as a bar for granting ordinary leave to prisoners convicted under certain acts, such as the Narcotics Drugs and Psychotropic Substances (NDPS) Act. If the petitioner is granted ordinary leave he will again indulge in similar type of offences.

4. In view of the same, this Court does not find any perversity or reason to interfere with the order passed by the second respondent.



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5. Hence the Writ Petition stands dismissed. No costs.

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(P.V., J) (L.V.G., J)
24.10.2025

Index : Yes/No

Internet : Yes/No

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To

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2.The Deputy Inspector General of Prison,
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5.The Inspector of Police,
G-1 Police Station,
Usilampatti Thaluk,
Madurai-625 532.

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



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L.VICTORIA GOWRI, J.**

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