



W.P.Crl.(MD)No.1890 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2025

CORAM:

**THE HONOURABLE MR JUSTICE P.VELMURUGAN
AND
THE HONOURABLE MRS JUSTICE L.VICTORIA GOWRI**

W.P.Crl(MD)No.1890 of 2025

Swetha

... Petitioner

vs.

1.The Prison and Correctional Services Department,
DIG Office, Madurai Range,
Madurai.

2.The Superintendent,
Central Prison,
Madurai-16.

3.State of Tamil Nadu rep.
The Inspector of Police,
Virudhunagar Rural Police Station,
Virudhunagar District.
(Crime No.21/2014)

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in No.1044/Oo.Tha.2/2025, dated 17.10.2025 passed by the respondent and quash the same as illegal and consequently direct the respondent to release the petitioner's father namely Ramesh, S/o.Late.Periyasamy [CP No.



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5581, PID No.24184] on ordinary leave / emergency leave for 60 days, for arranging medical expenses of the petitioner's father.

For Petitioner : Mr.S.Prabha

For Respondents : Mr.B.Nambi Selvan
Additional Public Prosecutor

ORDER

[Order of the Court was made by **P.VELMURUGAN, J.**]

The order dated 17.10.2025, passed by the first respondent, rejecting the petitioner's request for grant of ordinary leave, is under challenge in this writ petition.

2. The case of the petitioner is that her father was convicted for the offence under Section 498-A IPC and he has been incarcerated at Central Prison, Madurai. The petitioner gave a representation to the first respondent seeking 60 days ordinary leave for babyshower.

3. The learned counsel for the petitioner would submit that the petitioner has given a representation on 10.10.2025 seeking ordinary leave for her father. The said request was rejected by the first respondent on the ground that the



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convict has not completed 3 years. Challenging the said rejection order, the petitioner has filed the present writ petition.

4. The learned Additional Public Prosecutor appearing for the respondents would submit that the baby shower function scheduled to be held on 31.10.2025 and the said date was expired. Further, the first respondent rejected the request of the petitioner on 17.10.2025 itself on the ground that the convict was not eligible for ordinary leave since he has not completed 3 years.

5. In reply, the learned counsel for the petitioner would submit that now the function is rescheduled on 21.11.2025 and hence, the request of the petitioner may be considered.

6. Considering the facts and circumstances of the case and also considering the fact that the petitioner's mother and brother are no more, the only person available is the convict to perform the baby shower function and also taking into sympathetic and humanitarian consideration, this Court is inclined to grant emergency leave for three days to the petitioner's father with escort.



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7. In the result,

(i) The writ petition is allowed.

(ii) The impugned order dated 17.10.2025 passed by the first respondent, is set aside.

(iii) The convict prisoner namely Ramesh, S/o.Late.Periyasamy (C.P.No.5581, PID No.24184), detained at Central Prison, Madurai shall be granted emergency leave for a period of three (3) days from 20.11.2025 to 22.11.2025 with sufficient escort. The convict shall be released from the prison on 20.11.2025 at 10.00 a.m., and he shall report back to the prison by 22.11.2025 at 05.00 p.m.,

(iv) The petitioner shall produce all necessary documents, along with a copy of this order, before the jail authorities.

(v) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the jail manual. The petitioner is liable to bare the expenses for only one escort.

(vi) No costs.

[P.V., J.] [L.V.G., J.]
14.11.2025

Index : Yes / No
Neutral Citation : Yes / No
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To:

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Madurai.
- 2.The Superintendent,
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- 3.The Inspector of Police,
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Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.VELMURUGAN,J.
AND
L.VICTORIA GOWRI,J.

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ORDER MADE IN
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