



W.P.CrL.(MD) No.2561 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
and
THE HONOURABLE MS.JUSTICE R.POORNIMA

W.P.CrL.(MD) No.2561 of 2025

Kousalya

... 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 Superintendent of Police,
O/o.The Superintendent of Police,
Theni District.
- 4.The Inspector of Police,
O/o.Thenkarai Police Station,
Periyakulam,
Theni District.

... Respondents



WEB COPY

W.P.CrL.(MD) No.2561 of 2025

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records passed by the respondent No.1 in N.776/U.Th2/2025, dated 28.11.2025 and quash the same as bad in law and further direct the respondent Nos.1 and 2 to grant Ordinary Leave without escort for the period of 28 days to the petitioner's husband namely Karthik, S/o.Chinnasamy, C.P.No.5826 by considering the petitioner's representation dated 28.10.2025 and is a convict prisoner in a POCSO case and languishing in Madurai Central Prison for the past 5 years.

For Petitioner : Dr.Lakshmi Prasanna Komara

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by G.K.ILANTHIRAIYAN, J.]

The prayer in the petition is to quash the impugned order passed by the first respondent vide proceedings in N.776/U.Th2/2025, dated 28.11.2025 and direct the respondent Nos.1 and 2 to grant Ordinary Leave without escort for the period of 28 days to the petitioner's husband namely Karthik,



W.P.CrL.(MD) No.2561 of 2025

S/o.Chinnasamy, C.P.No.5826 by considering the petitioner's representation dated 28.10.2025 and is a convict prisoner in a POCSO case and languishing in Madurai Central Prison for the past 5 years.

2. It is the case of the petitioner that her husband was convicted by the Fast Track Mahila Court, Theni in S.C.No.61 of 2016, for the offences under Sections 366, 506(I) IPC and Section 6 of POCSO Act and he was sentenced to undergo life imprisonment. Aggrieved over the judgment, the convict has filed an appeal before this Court in CrL.A(MD).No.288 of 2019 and the same was also confirmed by this Court. After that, the convict had preferred an appeal before the Hon'ble Supreme Court and the same was also dismissed. Her husband is in incarceration for the past 5 years. Therefore, he is eligible for Ordinary Leave for a period of 28 days as per the prison rules. The petitioner, who is the wife of the convict, submitted an application seeking ordinary leave for her husband for a period of 28 days. After considering the request made by the petitioner, the first respondent granted ordinary leave to the petitioner's husband with escort. The petitioner is being a poor family, he could not afford cost for the escorts.



W.P.CrL.(MD) No.2561 of 2025

WEB COPY

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 Superintendent of Police,
O/o.The Superintendent of Police,
Theni District.
- 4.The Inspector of Police,
Thenkarai Police Station,
Periyakulam,
Theni District.
5. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.



WEB COPY



W.P.Crl.(MD) No.2561 of 2025

G.K.ILANTHIRAIYAN, J.
and
R.POORNIMA, J.

am

W.P.Crl.(MD) No.2561 of 2025

16.12.2025