



W.P.CrL.(MD) No.2624 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.12.2025

CORAM:

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

W.P.CrL.(MD) No.2624 of 2025

Paramasivam

... 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 Complex
New Jail Road, Madurai.
2. The Superintendent of Prison
Central Prison,
Madura
3. The Superintendent of Police
O/o. The Superintendent of Police
Madurai District
4. The Inspector of Police
Nagamalai Pudukottai Police Station
Madurai

..Respondents



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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 second respondent in No.3546/Tha.ku.2/2025 dated 18.11.2025 and quash the same as bad in law and further direct the respondents 1 and 2 to grant emergency leave without escort for the period of six days to the petitioner.

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 second respondent vide proceedings in No.3546/Tha.ku.2/2025 dated 18.11.2025 and direct the respondents 1 and 2 to grant emergency leave without escort for the period of six days to the petitioner.



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2. It is the case of the petitioner that the petitioner was convicted by the TNPID Court, Madurai in C.C.No.33/2013, under Section 5 of TNPID Act, 120(B), 406 and 420 of IPC by Judgment dated 03.03.2022. The convict has also preferred an appeal before this Court in CrI.A(MD) No.353 of 2022 and the same was also confirmed by this Court. The petitioner, who is the convict, submitted an application seeking emergency leave for a period of six days. After considering the request made by the petitioner, the second respondent rejected the application submitted by the petitioner.

3. The learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that the respondents have rejected the petitioner's request in view of the restriction under Rule 34 of Tamil Nadu Suspension of Sentence Rules, 1982.

4. The learned counsel appearing for the petitioner would submit that the petitioner's wife passed away and his daughter is studying 9th standard and she is living all along in his relative's house and now he has sought leave to



5. Though there is a restriction under Rule 24 of the Tamil Nadu Suspension of Sentence Rules, 1982, it will not denude the power of this Court to grant emergency leave.

7. Accordingly, the writ petition stands allowed and the impugned order passed by the second respondent 18.11.2025 is set aside and the convict prisoner is granted six days emergency leave without escort (Paramasivam,S/o.Kannan, C.P.No.1108 now confined at Cental Prison, Madurai). During the leave period the convict prisoner shall report before the fourth



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respondent daily at 5.30 pm., without fail. During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual. No costs.

[G.K.I., J.] [R.P., J.]
18.12.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To:

1. The Deputy Inspector General of Prison
O/o. The Deputy Inspector General of Prison
and Correctional Services,
Madurai Range, Madurai Central Prison Complex
New Jail Road, Madurai.
2. The Superintendent of Prison
Central Prison, Madurai
3. The Superintendent of Police
O/o. The Superintendent of Police
Madurai District
4. The Inspector of Police
Nagamalai Pudukottai Police Station
Madurai
5. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.



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