



W.P(MD) No.31336 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 02.01.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

**W.P(MD) No.31336 of 2024
and
W.M.P.(MD)No.26234 of 2024**

B.Priyadarshini

... Petitioner

Vs

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

2.The Superintendent,
Central Prison,
Madurai.

... 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.656/UTha. 2/2024, dated 09.10.2024 on the file of the first respondent and quash the same as illegal and consequently, direct the second respondent to release the petitioner's husband Boss @ Baskaran, S/o.Panchavarnam (C.P.No.



W.P(MD) No.31336 of 2024

6092-Central Prison, Madurai) on ordinary leave / emergency leave for 30 days towards arranging school fees and to complete the construction of house, other essential expenditure for the petitioner's family.

For Petitioner : Mr.M.Jegadeesh Pandian

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

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The petitioner's husband is in incarceration in Central Prison, Madurai. He has suffered life sentence and the appeal is pending before this Court. Therefore, the convict may not be entitled for ordinary leave.

3. The learned Additional Public Prosecutor also points out that the convict is facing another murder case which is pending trial.

4. However, taking into account the special facts and circumstances projected in the writ petition, we direct the second respondent to grant emergency leave for the petitioner's husband for a period of five days with necessary escort.



W.P(MD) No.31336 of 2024

5. Accordingly, the convict-prisoner is granted emergency leave for 5 days with necessary escorts on the following conditions :-

(a)The convict prisoner, Boss @ Baskaran S/o.Panchavarnam [C.P.No.6092], now detained in the Central Prison, Madurai, is granted emergency leave for 5 days from 06.01.2025 to 10.01.2025.

(b) The convict prisoner shall be released from the prison at 05.00 p.m., on 05.01.2025 and he shall return to the prison at 10.00 am., on 11.01.2025.

(c) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual.

6.With the above direction, the Writ Petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) (R.P., J.)
02.01.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
rmi

NOTE:Issue Order Copy on 03.01.2025



W.P(MD) No.31336 of 2024

WEB COPY

To

- 1.The Deputy Inspector General of Prison,
(Prison and Correctional Services),
Madurai Range,
Madurai.
- 2.The Superintendent,
Central Prison,
Madurai.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



W.P(MD) No.31336 of 2024

G.R.SWAMINATHAN, J.
AND
R.POORNIMA, J.

rmi

W.P(MD) No.31336 of 2024

02.01.2025