



W.P(MD)No.1524 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 22.01.2025

CORAM

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

W.P(MD)No.1524 of 2025

Lathiba Banu

... Petitioner

Vs.

1.The Deputy Inspector General of Prison,
Office of the Deputy Inspector of Prison
and Correctional Services,
Madurai Range, Madurai Central Prison Campus,
New Jail Road, Madurai.

2.The Superintendent of Prison,
Central Prison, Madruai.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorified Mandamus, to call for the records pertaining the impugned order passed by the Respondent No.1 in No.40/Vu.Tha.2/2024 dated 16.12.2024 quash the same as bad in law and further directing the Respondents to grant ordinary leave to the

1/5



W.P(MD)No.1524 of 2025

period of 30 days to petitioner's husband namely Haji Ali,
S/o.Mohammed Ali Jinnah, CP. No. 1807.

For Petitioner : Mr.S.M.A.Jinnah

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

ORDER

(Order of the court was delivered by G.R.Swaminathan, J.)

Heard both sides.

2.The petitioner's husband is undergoing ten years rigorous imprisonment in Central Prison, Madurai. He was convicted for the offence under NDPS Act involving commercial quantity. The convict is not entitled to ordinary leave. The petitioner is said to be suffering from heart related ailments.

3.Considering the said fact, we direct the second respondent to grant seven days emergency leave with necessary escort.



WEB COPY



W.P(MD)No.1524 of 2025

4.The writ petition is allowed on the following conditions:-

(a)The convict-prisoner, Haji Ali, S/o.Mohammed Ali Jinnah, [Convict Prisoner No.1807] now detained at Central Prison, Madurai is granted emergency leave for seven (7) days from 24.01.2025 to 30.01.2025 with necessary escort.

(b) The convict prisoner shall be released from the prison at 05.00 p.m., on 23.01.2025 and he shall return to the prison at 10.00 a.m., on 31.01.2025.

(c) The concerned authority is directed to provide necessary escort to the convict from the Central Prison at the time when he leaves the prison and till such time, he returns to the prison. It is clarified that the cost involved in providing escort shall be deducted from out of the earnings of the convict.

(d) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual. No costs.

(G.R.S. J.) & (R.P. J.)
22.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

Issue order copy on 23.01.2025.



W.P(MD)No.1524 of 2025

WEB COPY

To:-

- 1.The Deputy Inspector General of Prison,
Office of the Deputy Inspector of Prison
and Correctional Services,
Madurai Range, Madurai Central Prison Campus,
New Jail Road, Madurai.
- 2.The Superintendent of Prison,
Central Prison, Madruai.
- 3.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P(MD)No.1524 of 2025

**G.R.SWAMINATHAN, J.
and
R.POORNIMA, J.**

ias

W.P(MD)No.1524 of 2025

22.01.2025