



W.P.Crl.(MD) No.114 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2026

CORAM:

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

**W.P.Crl.(MD) No.114 of 2026
and
WMP.Crl.(MD)No.28 of 2026**

Rajathi

... Petitioner

-vs-

**1. The Secretary to Government
Home Department(Prison)
Government of Tamil Nadu,
Secretariat,St.George Fort,
Chennai-9.**

**2.The Deputy Inspector General of Prisons and
Correctional Services,
New Jail Road,
Madurai.**

**3. The Superintendent of Prison
Central Prison
Madurai**

**4. The Commissioner of Police
Madurai City**

**5. The Inspector of Police
Subramaniyapuram Police Station
Madurai City
Tirunelveli District**

..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 of the order passed by the second respondent in No.4895/tha.ku.2/2025 dated 31.12.2025 and quash the same and consequently direct the respondents 2 and 3 to grant 15 days emergency leave without escort to the son of the petitioner namely Prakash, S/o.Chellamuthu(CP No.5831,PIDO No.17336) now confined under Central Prison, Madurai.

For Petitioner : Mr.S.Srikanth
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 in No.4895/tha.ku.2/2025 dated 31.12.2025 and direct the respondents 2 and 3 to grant 15 days emergency leave without escort to the son of the petitioner namely Prakash, S/o.Chellamuthu(CP No.5831,PIDO No. 17336) now confined under Central Prison, Madurai.

2. It is the case of the petitioner that her son was convicted by the learned V Additional District and Sessions Judge, Madurai in S.C. No.147 of 2015 dated 06.02.2019 and sentenced to undergo life imprisonment for the offence under Section 302 of IPC. Aggrieved over the same, the convict has



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also filed an appeal before this Court in Crl.A(MD) No.103 of 2019 and the same was dismissed by this Court on 25.03.2022. The son of the petitioner is in jail for more than three years. While being so, the petitioner being mother of the convict is suffering from illness, thereby she submitted a representation seeking 15 days emergency leave for her son, which was rejected by the second respondent on the ground that the son of the petitioner is also facing trial for offence under Section 302 of IPC.

3. When the convict is facing trial apart from conviction is not eligible for ordinary leave, however the petitioner has applied for emergency leave for her son, in view of the same the order passed by the second respondent cannot be sustained and the same is liable to be set aside.

4. Considering the illness suffered by the petitioner, this Court is inclined to grant five days emergency leave with single escort to son of the petitioner.

5. Accordingly, the impugned order passed by the second respondent is set aside and writ petition is disposed of with the following directions:



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- (i) The respondents are directed to grant five days emergency leave with single escort to the convict prisoner namely, Prakash, S/o.Chellamuthu(CP No. 5831,PIDO No.17336) now confined under Central Prison, Madurai from 10.01.2026 to 14.01.2026. The convict prisoner shall be released from the prison on 10.01.2026 at 9.00 am.,
- (ii) He shall report back to the Superintendent of Prison, Central Jail, Madurai / third respondent, by 14.01.2026 at 6.00pm.,
- (iii) The petitioner shall produce all necessary documents, along with a copy of this order, before the jail authorities,
- (iv) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual. Consequently connected miscellaneous petition stands closed.

[G.K.I., J.] [R.P., J.]
09.01.2026

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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Note: Issue order copy on 09.01.02026



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To:

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- 2.The Deputy Inspector General of Prisons and
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3. The Superintendent of Prison
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4. The Commissioner of Police
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5. The Inspector of Police
Subramaniyapuram Police Station
Madurai City
Tirunelveli District
6. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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

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