



W.P.Crl.(MD) No.128 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2026

CORAM:

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

**W.P.Crl.(MD) No.128 of 2026
and
WMP.Crl.(MD)No.35 of 2026**

P.Thavasikani

... Petitioner

-VS-

**1. The Home Secretary
Home Department(Prison)
Secretariat, Fort St.George,
Chennai- 600 009**

**2. The Deputy Inspector General of Prisons
Madurai Range,
Madurai.- 625 001**

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

**4. The Inspector of Police
Nesamoninagar Police Station
Kanyakumari District**

..Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified mandamus calling for the records relating to the proceedings No.4644/thaku.2/2025 by the third respondent dated 23.12.2025



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and quash the same and direct the third respondent to grant six days emergency leave without escort to the petitioner's brother Raja @Ashok Kumar, S/o.Paulpandian, convict No.4644, PID No.239023 presently confined in Central Prison, Palayamkottai.

For Petitioner : Mr.P.M. Basil
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 third respondent in No. 4644/thaku.2/2025 dated 23.12.2025 and direct the third respondent to grant six days emergency leave without escort to the petitioner's brother Raja @Ashok Kumar, S/o.Paulpandian, convict No.4644, PID No.239023 presently confined in Central Prison, Palayamkottai.

2. It is the case of the petitioner that her brother was convicted by the Principal District and Sessions Judge, Tirunelveli in S.C. No.600 of 2014 on 17.02.2020 and sentenced to undergo life imprisonment for the offence under Section 302 of IPC. Aggrieved over the same, the convict has filed an appeal before this Court in Crl.A(MD) No.386 of 2021 and the same was dismissed by this Court on 08.11.2022. The petitioner submitted an application seeking emergency leave for a period of six days. After considering the request made by



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the petitioner, the third respondent has granted six days emergency leave to the petitioner's brother with escort. The petitioner being a poor person, could not afford the cost of escort.

3. In view of the above, the condition imposed in the order dated 23.12.2025 directing the convict to go on emergency leave with escort is modified and he shall go on emergency leave without escort. However, the convict is directed to comply with the usual conditions imposed by the jail authorities and he should also report before the fourth respondent police daily at 05.30 p.m. He shall duly comply with the conditions and return to the prison on expiry of the leave period.

4. Accordingly, the order of the third respondent dated 23.12.2025 is quashed insofar as the ordering escort alone and the Writ Petition is disposed of. Consequently connected miscellaneous petition stands closed.

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

12.01.2026

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

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4. The Inspector of Police
Nesamoninagar Police Station
Kanyakumari District
5. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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