



W.P.Crl.(MD) No.398 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2026

CORAM:

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

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Chithradevi

... Petitioner

-VS-

**1. The Deputy Inspector General of Prisons
and Correctional Services
Madurai Range, Madurai**

**2. The Superintendent of Prison
Central Prison,
Madurai District**

**3. The Inspector of Police
Kalayarkovil Police Station
Sivagangai**

..Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 and 2 to grant emergency leave for a period of seven days to the petitioner's husband by name Kalyanasundaram(convict No.7375) who is being confined at Central Prison, Madurai District



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For Petitioner : Mr.G.Muthuraj

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

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ORDER

[Order of the Court was made by G.K.ILANTHIRAIYAN, J.]

The prayer in the petition is to direct the respondents 1 and 2 to grant emergency leave for a period of seven days to the petitioner's husband by name Kalyanasundaram(convict No.7375) who is being confined at Central Prison, Madurai District

2. The petitioner is the wife of the convict . The husband of the petitioner was convicted by the Additional Sessions Court, Sivagangai in S.C.No.77 of 2010 and sentenced to under go ten years rigorous imprisonment for the offence under Section 392 r/w.397 of IPC. Aggrieved over the same, the convict has also preferred an appeal before this Court in Crl.A(MD) No.132 of 2011, wherein this Court modified the sentence imposed by the trial Court and sentenced the convict to under go seven years rigorous imprisonment. Now the husband of the petitioner is in jail for more than four years. While being so, the petitioner submitted representation seeking emergency leave for her husband on



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the ground that their elder daughter's attained puberty and the function is scheduled to be held on 28.01.2026, however it was rejected by an order dated 19.01.2026, which was also communicated to the petitioner.

3. The learned counsel appearing for the petitioner would submit that request made by the petitioner was rejected. The husband of the petitioner being father of the victim is very much necessary for doing some formalities.

4.The learned Additional Public Prosecutor would submit that the reasons stated in the representation is true and the puberty function of the convict has been fixed on 28.01.2026. He would further submit that the convict is also having two similar cases and one murder case, thereby the request made by the petitioner was rejected.

5. On perusal of records, it is seen that admittedly the elder daughter of the convict attained puberty and the function is held on 28.01.2026. Considering the above facts this Court directs the second respondent to grant two days emergency leave to the husband of the petitioner with single escort.



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6. Accordingly, the writ petition is disposed of with the following directions:

- (i) The respondents are directed to grant two days emergency leave with single escort to the convict prisoner namely, Kalyanasundaram (convict No.7375) who is being confined at Central Prison, Madurai District on 28.01.2026 and 29.01.2026. The convict prisoner shall be released from the prison on 28.01.2026 at 6.00 am.,
- (ii) He shall report back to the Superintendent of Prison, Central Jail, Madurai /second respondent, by 29.01.2026 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.



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7. Further the Superintendent of Police, Sivagangai District is directed to provide one escort accompanying the convict during the leave period.

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

27.01.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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Note: Issue order copy on 27.01.2026

To:

1. The Deputy Inspector General of Prisons
and Correctional Services
Madurai Range, Madurai

2. The Superintendent of Prison
Central Prison,
Madurai District

3. The Inspector of Police
Kalayarkovil Police Station
Sivagangai

4. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

Copy to:
The Superintendent of Police
Sivagangai District



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and
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