



W.P.Crl.(MD) No.437 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :28.01.2026

CORAM:

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

W.P.Crl.(MD) No.437 of 2026
and
WMP.Crl.(MD)No.120 of 2026

Bhavani

... Petitioner

-VS-

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

2. The Superintendent of Prison
Central Prison,
Madurai

3. The Superintendent of Police
Virudhunagar District

4. The Inspector of Police
Virudhunagar East Police Station
Viruthunagar District

..Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue
a writ of Certiorarified mandamus calling for the records of the order passed by
the first respondent in No.24/Vutha.2/2026 dated 07.01.2026 and quash the



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same and consequently direct the respondents 1 and 2 to grant 21 ordinary leave without escort to the husband of the petitioner namely Pandirajan, S/o.Subbaiya, a convict prisoner(PID No.407302)

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 first respondent in No.244/Vutha.2/2025 dated 07.01.2026 and direct the respondents 1 and 2 to grant 21 ordinary leave without escort to the husband of the petitioner namely Pandirajan, S/o.Subbaiya, a convict prisoner(PID No. 407302)

2. It is the case of the petitioner that her husband was convicted by the Special Court for Exclusive trial of cases under the Protection of Children from Sexual Offences Act, Virudhunagar District at Srivilliputhur in S.C. No.01 of 2017 on 12.03.2022 and sentenced to undergo ten years rigorous



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imprisonment for the offences under Sections 366 of IPC and Section 6 of POCSO Act. Aggrieved over the same, the convict has not filed an appeal. The petitioner submitted an application seeking ordinary leave for a period of 21 days to her husband. After considering the request made by the petitioner, the first respondent granted ordinary leave to the convict with escort.. The petitioner being a poor person, he could not afford the cost for escorts.

3. In view of the above, the condition imposed in the order dated 07.01.2026 directing the convict to go on ordinary leave with escort is modified and he shall go on ordinary 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 first respondent dated 07.01.2026 is quashed insofar as the ordering escort alone and the Writ Petition is disposed of. Consequently connected miscellaneous petition stands closed.



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5. It is made clear that the convict shall not disturb the victim or the family members of the victim. If any untoward incident happens the fourth respondent is directed to take appropriate action in accordance with law.

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

28.01.2026

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

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

2. The Superintendent of Prison
Central Prison,
Madurai

3. The Superintendent of Police
Virudhunagar District

4. The Inspector of Police
Virudhunagar East Police Station
Virudhunagar District

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



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