



W.P.Crl.(MD) No.505 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2026

CORAM:

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

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Asan Banu

... Petitioner

-VS-

**1.The Deputy Inspector General of Prisons
O/o the Deputy Inspector General of
Prison and Correctional Services
Madurai Range,
Madurai Central Prison Campus,
New Jail Road,
Madurai**

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

**3.The Superintendent of Police
O/o.The Superintendent of Police
Madurai District**

**4. The Inspector of Police
Silaiman Police Station,
Madurai**

..Respondents



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PRAAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified mandamus calling for the records passed by the first respondent in No. 1167/Vu.tha.2/2025 dated 28.11.2025 and quash the same as bad in law and in the nature of writ directing the respondents 1 and 2 to grant ordinary leave or emergency leave to the petitioner's husband namely Devadoss @ Rasul Sulthana, S/o.Ponniah, C.P.No.1800(PID 511821) by considering the petitioner's representation dated 13.11.2025.

For Petitioner : Dr.Lakshmi Prasanna Komara

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. 1167/Vu.tha.2/2025 dated 28.11.2025 and direct the respondents 1 and 2 to grant ordinary leave or emergency leave to the petitioner's husband namely Devadoss @ Rasul Sulthana, S/o.Ponniah, C.P.No. 1800(PID 511821) by considering the petitioner's representation dated 13.11.2025.

2. It is the case of the petitioner that her husband was convicted under NDPS Act in C.C. No.255 of 2019 by the Principal Special Court for EC



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and NDPS Act cases, Madurai and sentenced to undergo ten years imprisonment. Aggrieved over the same, the convict has preferred an appeal before this Court in Crl.A(MD) No.495 of 2023 and the same was confirmed by this Court. While being so, the petitioner applied for emergency leave for her husband that she is suffering from dental issue and also she has to undergo family planning operation for which she requires money, however it was rejected on the ground that the petitioner's husband is convicted under NDPS Act. Further the husband of the petitioner is also facing trial for similar type of offence.

3. However perusal of the request reveals that the petitioner want to undergo family planning operation and also take treatment for dental issues. The husband of the petitioner is languishing in jail, even if he comes out of prison for short period he would not be able to arrange any financial arrangement within a short period. In government hospital those facilities are provided and the petitioner can avail those medical treatment in the Government Hospital also.

4. In view of the same, this Court finds no reason to set aside the order passed by the first respondent. Hence the petition stands dismissed.



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Further if any request made by the petitioner seeking treatment the Dean, Rajaji Government Hospital, Madurai is directed to provide adequate treatment to the petitioner.

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

02.02.2026

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

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Madurai Central Prison Campus,
New Jail Road, Madurai

2.The Superintendent of Prison
Central Prison, Madurai

3.The Superintendent of Police
O/o.The Superintendent of Police
Madurai District

4. The Inspector of Police
Silaiman Police Station
Madurai

5. The Dean
Government Rajaji Hospital, Madurai

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



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