



W.P.CrL.(MD) No.536 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2026

CORAM:

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

**W.P.CrL.(MD) No.536 of 2026
and
WMP CrL.(MD) No.139 of 2026**

Annapackiyam

... Petitioner

-VS-

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

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

**3. The Superintendent of Police
Maduri District**

**4. The Inspector of Police
Saptur Police Station
Madurai District**

..Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified mandamus to call for the records relating to the impugned order passed by the second respondent vide proceedings in No. 183/Tha.ku.2/2026 dated 19.01.2026 and quash the same and consequently direct the respondents 1 and 2 to grant 15 days emergency leave to the



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petitioner's husband namely Pandi @ Thangapandi, S/o. Karuppiah, convict prisoner(PID No.65116).

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. 183/Tha.ku.2/2026 dated 19.01.2026 and direct the respondents 1 and 2 to grant 15 days emergency leave to the petitioner's husband namely Pandi @ Thangapandi, S/o. Karuppiah, convict prisoner(PID No.65116).

2. It is the case of the petitioner that her husband was convicted by the IV Additional District and Sessions Court, Madurai in S.C. No.288 of 2015 and sentenced to undergo life imprisonment for the offence under Section 302 of IPC.. Aggrieved over the same, the convict has also filed an appeal before this Court in Crl.A(MD) No.186 of 2015 and the same was confirmed by this Court. While being so, the petitioner being wife of the convict submitted representation seeking 15 days emergency leave to her husband on the ground



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that she is suffering from medical illness, however it was rejected on the ground that Rule 35 of the Tamil Nadu Suspension of Sentence Rules does not permit to grant any leave since the convict is also facing trial for the offence under Sections 294 (b) and 506(ii) of IPC in STC No.271 of 2022 on the file of the learned Judicial Magistrate, Peraiyur, Madurai District.

3. The learned counsel appearing for the petitioner submit that earlier the husband of the petitioner was granted emergency leave by challenging the rejection order.

4. The learned Additional Public Prosecutor submitted that when the convict is facing trial in another case he is not eligible for any leave.

5. Considering the facts and circumstances of the case that earlier the convict was granted leave, this Court is inclined to grant five days emergency leave without escort to convict.

6. 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 without escort to the convict prisoner namely, Pandi @ Thangapandi, S/o. Karuppiah, convict prisoner(PID No.65116) from 12.02.2026 to 16.02.2026. The convict prisoner shall be released from the prison on 12.02.2026 at 9.00 am.,
- (ii) He shall report back to the Superintendent of Prison, Central Jail, Madurai / second respondent, by 16.02.2026 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 report before the fourth respondent daily at 5.30 pm., without fail. Consequently connected miscellaneous petition stands closed.

[G.K.I., J.] [R.P., J.]
03.02.2026

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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Note: Issue order copy on 04.02.2026



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To:

1. The Deputy Inspector General of Prisons
Prisons and Correctional Services Department
Madurai Range, Madurai
2. The Superintendent of Prison
Central Prison,
Madurai
3. The Superintendent of Police
Madurai District
4. The Inspector of Police
Saptur Police Station
Madurai District
5. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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and
R.POORNIMA, J.

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