



W.P.Crl.(MD) No.694 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2026

CORAM:

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

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Anandhi

... Petitioner

-VS-

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

2. The Superintendent of Prison
Central Prison,
Madurai

3. The Superintendent of Police
Madurai District

4. The Inspector of Police
Usilampatti 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 passed by the first respondent in No.233/Tha.ku.2/ 2026 dated 22.01.2026 and quash the same as bad in law and in the nature of writ directing the respondents 1 and 2 to grant



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10 days emergency leave to the petitioner's husband namely Malaisami, S/o.Ramu, C.P.No.3035 who is languishing in Madurai Central Prison.

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.233/Tha.ku.2/ 2026 dated 22.01.2026 and direct the respondents 1 and 2 to grant 10 days emergency leave to the petitioner's husband namely Malaisami, S/o.Ramu, C.P.No.3035 who is languishing in Madurai Central Prison.

2. It is the case of the petitioner that her husband was convicted by the I Additional Special Court for NDPS Act Cases, Madurai in S.C. No.244 of 2021 and sentenced to undergo twenty years imprisonment for the offence under Section 8(c)r/w.20(b)(ii)(c) and 29(1) of NDPS Act. The convict is in imprisonment for more than nine months. The petitioner being the wife of the convict is undergoing IVF test for her pregnancy, hence the presence of the convict is very much required for couple therapy. Therefore the petitioner has



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sought for 10 days emergency leave for her husband , however the same was rejected on the ground that the convict is also facing trial for four similar cases.

3. A perusal of the record reveals that the petitioner is undergoing IVF medical treatment, therefore the petitioner need to take infertility treatment and IVF treatment along with her husband.

4. In view of the same, this Court is inclined to grant two days emergency leave with escort to convict. In view of the same the order passed by the first respondent cannot be sustained and the same is liable to be set aside.

5. Accordingly, the impugned order passed by the first respondent is set aside and writ petition is disposed of with the following directions:

- (i) The respondents are directed to grant two days emergency leave with escort to the convict prisoner namely, Malaisami, S/o.Ramu, C.P.No.3035 who is languishing in Madurai Central Prison on 11.02.2026 and 12.02.2026 The convict prisoner shall be released from the prison on 11.02.2026 at 6.00 am.,



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- (ii) He shall report back to the Superintendent of Prison, Central Jail, Madurai/ second respondent, by 12.02.2026 at 6.00pm.,
- (iii) The petitioner shall produce all necessary documents, along with a copy of this order, before the jail authorities,
- (iv) The escort charges shall be borne by the petitioner and if necessary, the same shall be adjusted from the income earned by the convict prisoner during the imprisonment period.
- (v) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual.

[G.K.I., J.] [R.P., J.]
10.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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Note: Issue order copy on 10.02.2026



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To:

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

2. The Superintendent of Prison
Central Prison,
Madurai

3. The Superintendent of Police
Madurai District

4. The Inspector of Police
Usilampatti Police Station
Madurai District

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



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