



W.P.Crl.(MD) No.701 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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Ponnudurai

... 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
Palayamkottai Central Jail
Tirunelveli District**

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

**4. The Inspector of Police
Moolaikarupatti Police Station,
Tirunelveli District**

..Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified mandamus calling for the records relating to the impugned order passed by the second respondent vide proceedings in NO. 8746/Tha.ku.2/2025 dated 23.01.2026 and quash the same as illegal and further



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direct the second respondent to grant emergency leave without escort for the period of three days to the petitioner's brother namely Sundharave, S/o. Arjunan (PID No.119068) who is the life convict and languishing in Palayamkottai Central Prison.

For Petitioner : Mr.SMA Jinnah
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. 8746/Tha.ku.2/2025 dated 23.01.2026 and direct the second respondent to grant emergency leave without escort for the period of three days to the petitioner's brother namely Sundharave, S/o. Arjunan (PID No.119068) who is the life convict and languishing in Palayamkottai Central Prison.

2. It is the case of the petitioner that his brother was convicted by the learned Principal District and Sessions Judge, Tirunelveli in S.C. No. 283 of 2004 on 27.07.2005 and sentenced to undergo life imprisonment for the offence under Section 302 of IPC. Aggrieved over the same, the convict has filed an appeal before this Court in Crl.A(MD) No.402 of 2005 and the same was dismissed by this Court on 10.04.2007. The petitioner submitted an application



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seeking emergency leave for three days for his brother. After considering the request made by the petitioner, the second respondent granted emergency leave to the convict with escort. The petitioner being a poor person, could not afford the cost of escort.

3. In view of the above, the condition imposed in the order dated 23.01.2026 directing the convict to go on emergency leave with escort is modified and he shall go on emergency 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 second respondent dated 23.01.2026 is quashed insofar as the ordering escort alone and the Writ Petition is disposed of.

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

10.02.2026

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

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2. The Superintendent of Prison
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Tirunelveli District
3. The Superintendent of Police
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4. The Inspector of Police
Moolaikarupatti Police Station,
Tirunelveli District
5. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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and
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