



W.P.Crl.(MD) No.868 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.02.2026

CORAM:

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

W.P.Crl.(MD) No.868 of 2026

M.Bhanumathi

... Petitioner

-VS-

1.The Deputy Inspector General of Prison,
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 Jail, New Jail Road,
Madurai District.

3.The Commissioner of Police
O/o. The Commissioner of Police
Madurai

..Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified mandamus directing the third respondent to call for the records pertaining to the impugned order in No.449/Tha.ku.2/2026 dated 09.02.2026 quash the same as bad in law and further direct the respondents to grant emergency leave for a period of 10 days without escort to the petitioner's son namely Praveen Raj (CP No.1279) now confined at Central Prison,



W.P.Crl.(MD) No.868 of 2026

Madurai to perform the final rites and subsequent ceremonies of his deceased father who expired on 19.01.2026 by considering the petitioner's representation dated 06.02.2026

For Petitioner : Mr.J.Peer Mohammed
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 third respondent in No.449/Tha.ku.2/2026 dated 09.02.2026 and direct the respondents to grant emergency leave for a period of 10 days without escort to the petitioner's son namely Praveen Raj (CP No.1279) now confined at Central Prison, Madurai to perform the final rites and subsequent ceremonies of his deceased father who expired on 19.01.2026 by considering the petitioner's representation dated 06.02.2026

2. It is the case of the petitioner that her son was convicted by the II Additional Special Court for NDPS Act Cases, Madurai in C.C. No.15 of 2021 on 01.08.2022 and sentenced to undergo ten years rigorous imprisonment for the offence under NDPS Act. Aggrieved over the same, the



W.P.Crl.(MD) No.868 of 2026

convict has also filed an appeal before this Court in Crl.A(MD) No.950 of 2023 and the same was dismissed by this Court on 26.08.2025. While being so, the husband of the petitioner died on 19.01.2026, therefore the petitioner being mother of the convict submitted representation seeking 10 days emergency leave for her son to perform 30th day death ceremony for his father. However it was rejected on the ground that her son was convicted under NDPS Act and as such he is not eligible for any leave.

3.Considering the reasons sated in the representation that the convict has to perform 30th day death ceremony of his father, this Court is inclined to grant three days emergency leave with single escort to the son of the petitioner..

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

- (i) The respondents are directed to grant three days emergency leave with single escort to the convict prisoner namely, Praveen Raj (CP No.1279) now confined at Central Prison, Madurai from 18.02.2026 to 20.02.2026. The convict prisoner shall be released



W.P.CrL.(MD) No.868 of 2026

from the prison on 18.02.2026 at 6.00 am.,

WEB COPY (ii)

- He shall report back to the Superintendent of Prison, Central Jail, Madurai / second respondent, by 21.02.2026 at 5.00pm.,
- (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 abide by all the conditions prescribed in the Jail Manual.
- (v) 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.

[G.K.I., J.] [R.P., J.]
17.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
aav

Note: Issue order copy on 17.02.2026



W.P.Crl.(MD) No.868 of 2026

To:

1. The Deputy Inspector General of Prison,
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 Jail, New Jail Road,
Madurai District.
3. The Commissioner of Police
O/o. The Commissioner of Police
Madurai
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P.Crl.(MD) No.868 of 2026

G.K.ILANTHIRAIYAN, J.
and
R.POORNIMA, J.

aav

W.P.Crl.(MD) No.868 of 2026

17.02.2026