



**W.P.Crl.(MD) No.877 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.877 of 2026  
and  
WMP(Crl.)MD No.229 of 2026**

**Sahayapunitha**

**... Petitioner**

**-VS-**

**1.The Home Secretary  
Home Department (Prison)  
Secretariat,St. George Fort  
Chennai - 9.**

**2.The Deputy Inspector General of Prisons  
Madurai Region,Madurai.**

**3.The Superintendent of Prison  
Central Prison,Palayamkottai**

**4.The Inspector Of Police  
Rajakamangalam Police Station  
Kanyakumari 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 proceedings in No.4392/Tha.ku.2/2025 dated 04.02.2026 issued by the third respondent quash the same and consequently direct the respondents to grant six



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days emergency leave without escort to the petitioner's husband namely Babu@ Gopalakrishnan, S/o.Selvaraj, bearing Convict No.4392, PID No. 159564 who is currently lodged at Central prison, Palayamkottai

For Petitioner : Mr.P.M.Basil  
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.4392/Tha.ku.2/2025 dated 04.02.2026 and direct the respondents to grant six days emergency leave without escort to the petitioner's husband namely Babu@ Gopalakrishnan, S/o.Selvaraj, bearing Convict No. 4392, PID No.159564 who is currently lodged at Central prison, Palayamkottai

2. It is the case of the petitioner that her husband was convicted by the Additional District and Sessions Court, Nagercoil in S.C. No.53 of 2012 on 11.04.2019 and sentenced to undergo life imprisonment on 11.04.2019. Aggrieved over the same, the convict has also preferred an appeal before this Court in Crl.A(MD) No.341 of 2019 and the same was dismissed by this Court on 30.08.2022. The petitioner submitted an application seeking emergency leave for a period of 6 days. After considering the request made by the



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petitioner, the third respondent granted emergency leave to the convict with escort. The petitioner being a poor person could not afford the cost for escorts.

3. In view of the above, the condition imposed in the order dated 04.02.2026 directing the convict to go on emergency leave with escort is modified and the convict 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. till the completion of leave period. He shall duly comply with the conditions and return to the prison on expiry of the leave period.

4. Accordingly, the order of the third respondent dated 04.02.2026 is quashed insofar as the ordering escort alone and the Writ Petition is disposed of. Consequently connected miscellaneous petition stands closed.

**[G.K.I., J.]      [R.P., J.]**

**17.02.2026**

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

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Rajakamangalam Police Station  
Kanyakumari 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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