



W.P.Crl.(MD) No.938 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2026

CORAM:

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

**W.P.Crl.(MD) No.938 of 2026
and
WMP(MD) No.242 of 2026**

Kanniga Parameshwari

... 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
Thalamuthu Nagar Police Station
Tuticorin 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.5429/tha.ku.2/2025(CT No.5429 Marikumar 2026 EL NO.1)



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dated 02.02.2026 issued by the third respondent to grant six days emergency leave without escort to the petitioner's brother Marikumar, S/o.Murugesan bearing Convict No.5429 and PID No.0406472 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.5429/tha.ku.2/2025(CT No.5429 Marikumar 2026 EL NO.1) dated 02.02.2026 and direct the respondents to grant six days emergency leave without escort to the petitioner's brother Marikumar, S/o.Murugesan bearing Convict No.5429 and PID No.0406472 who is currently lodged at Central Prison, Palayamkottai.

2. The petitioner is the brother of the convict and he was convicted by the learned Principal Special Judge for EC and NDPS Act Cases Madurai in C.C. No.833 of 2022 for the offences under Sections 8(c)r/w.20(b) (ii)(C), 29(1) and 25 of NDPS Act and sentenced to undergo ten years rigorous



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imprisonment. Against which the convict has preferred an appeal before this Court in Crl.A(MD) No.297 of 2025 and the same is pending adjudication.

While being so, the petitioner being sister of the convict submitted representation seeking emergency leave, however the third respondent granted leave with escort. The said condition with escort is under challenge in this petition.

3. The learned Additional Public Prosecutor on instructions submitted that the brother of the petitioner was convicted under NDPS Act, thereby leave is granted with escort. He would further submit that the if the convict is granted leave he will indulge in similar type of offences.

4. Taking into consideration the submissions made by the learned Additional Public Prosecution this Court finds no infirmity or illegality in the order passed by the third respondent and hence the petition is liable to be dismissed.



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5.In view of the same, the petition stands dismissed. Consequently
connected miscellaneous stands closed.

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

19.02.2026

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

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
Thalamuthu Nagar Police Station
Tuticorin 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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