



W.P.CrL.(MD) No.1106 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.02.2026

CORAM:

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

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K.Mahamutha

... Petitioner

-VS-

1.The Deputy Inspector General
Prison and Correctional Service Department
Madurai Range
Madurai.

2.The Jail Superintendent
Central Prison
Madurai

3. The Superintendent of Police
Madurai District

4.The Inspector Of Police
S.S.Colony Police Station
Madurai 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 vide No.4777/Tha.ku.2/2025 dated 27.12.2025 on the file of the second respondent and quash the same and consequently direct the respondents to release the petitioner's husband namely Kubendran, S/o.Selvam,



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PID 68980 on an ordinary leave for 10 days in the light of the representation dated 15.12.2025 on the file of the second respondent.

For Petitioner : Mr.R.Venkateswaran
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.4777/Tha.ku.2/2025 dated 27.12.2025 and direct the respondents to release the petitioner's husband namely Kubendran, S/o.Selvam, PID 68980 on an ordinary leave for 10 days in the light of the representation dated 15.12.2025.

2. The husband of the petitioner was convicted in C.C.No.523 of 2023 on 17.04.2025 for the offence under Section 8(c) r/w.20(b)(ii)(C) of NDPS Act. While being so, the petitioner being wife of the convict submitted representation seeking 10 days ordinary leave for attending surgery for their son, however it was rejected on the ground that apart from the conviction the convict is also facing trial for 12 cases and that too for the offences under NDPS Act, 392, 394 and 397 of IPC.



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3. If the convict is granted emergency leave he will indulge in similar type of offences to arrange finance for their son's operation, therefore the request made by the petitioner was rightly rejected by the second respondent, thereby this Court finds no reason to interfere with the order of the second respondent, hence the petition stands dismissed. However the jail authorities are directed to transfer the salary of the convict if any to the account of the petitioner directly.

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

26.02.2026

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

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Prison and Correctional Service Department
Madurai Range
Madurai.

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4. The Inspector Of Police
S.S.Colony Police Station
Madurai District

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



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and
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