



W.P.CrL.(MD) No.1196 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2026

CORAM:

**THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
and
THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR**

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Sudalaikannu

... Petitioner

-vs-

1. The Deputy Inspector of General of Prisons
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 Prison, Madurai District
3. The Superintendent of Police
O/o. The Superintendent of Police
Tirunelveli
4. The Inspector of Police
Kadayam Police Station,
Tirunelveli District

..Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified mandamus to call for the records pertaining to the impugned order in NO.561//Tha.ku.2/2026 dated 19.02.2025 issued by the



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second respondent quash the same as illegal and further direct the respondents 1 and 2 to grant emergency leave for the period of 15 days to the petitioner's brother who is convict prisoner namely Arumugam, S/o.Sudalaikannu,CP No. 1302 by considering the representation dated 02.02.2025.

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.561//Tha.ku.2/2026 dated 19.02.2025 and direct the respondents 1 and 2 to grant emergency leave for the period of 15 days to the petitioner's brother who is convict prisoner namely Arumugam, S/o.Sudalaikannu,CP No.1302 by considering the representation dated 02.02.2025.

2. It is the case of the petitioner that his brother was convicted in S.C.No.676 of 2017 and sentenced to undergo ten years rigorous imprisonment for the offence under Section 376 of IPC by the Mahila Court, Tirunelveli . Aggrieved over the same, the convict has preferred an appeal before this Court in Crl.A(MD) No.240 of 2022 and the same is pending adjudication. While



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being so, the convict's wife died on 02.02.2026 by committing suicide leaving behind two children, therefore the brother of the convict submitted representation seeking one day emergency leave to perform the last rites for his deceased/wife and the same was also granted. Once again the petitioner submitted representation seeking 15 days emergency leave to look after the two children, however it was rejected on the ground that the convict is also facing trial in five cases including two cases for the offence under Section 302 of IPC, therefore the request of the petitioner was rightly rejected.

3. A perusal of the record reveals that the first child of the deceased was studying X standard and another child is also studying, therefore the convict has to arrange some funds for their educational purpose and also to arrange some shelter for them, therefore this Court is inclined to grant five days emergency leave to the convict with escort.

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

- (i) The respondents are directed to grant five days emergency leave with escort to the convict prisoner namely, Arumugam, S/o.Sudalaikannu,CP No.1302 from 02.03.2026 to 06.03.2026. The convict prisoner



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shall be released from the prison on 02.03.2026 at 6.00 am.,

- (ii) He shall report back to the Superintendent of Prison, Central Jail, Madurai / second respondent, by 06.03.2026 at 6.00pm.,
- (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. Consequently connected miscellaneous petition stands closed.
- (v) The Commissioner of Police, Madurai is directed to provide escort
- (vi) 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.] [N.S, J.]
27.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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Note: Issue order copy on 27.02.2026



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To:

1. The Deputy Inspector of General of Prisons
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 Prison, Madurai District
3. The Superintendent of Police
O/o. The Superintendent of Police
Tirunelveli
4. The Inspector of Police
Kadayam Police Station,
Tirunelveli Districtt
5. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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and
N.SENTHILKUMAR, J.

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