



W.P.CRL..(MD).No.1544 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.04.2026

CORAM

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
AND
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

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Karupasamy

..... Petitioner

Vs.

- 1.The Home Secretary,
Home Department (Prison),
Secretariat, Fort St. George,
Chennai-600 009.
- 2.The Deputy Inspector General of Prisons,
Madurai Range, Madurai – 625 001.
- 3.The Superintendent of Prison,
Central Prison, Palayamkottai – 627 007.
- 4.The Inspector of Police,
North Police Station,
Thoothukudi District.

..... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, calling for the records relating to the proceedings in No.4626/thaku.2/2026 (LCT.PID233511 Manikandan s/o.Karuppasamy) issued by the 3rd respondent, dated 30.01.2026 quash the



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same and consequently direct the 3rd respondent to grant 6 days emergency leave without escort to the petitioner's son Manikandan, aged 40 years, S/o.Karuppsamy, PID No.233511, presently confined at Central Prison, Palayamkottai.

For Petitioner : Mr.P.M.Basil

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by N.ANAND VENKATESH, J.]

This Writ Petition has been filed challenging the proceedings of the 3rd respondent made in No.4626/thaku.2/2026, dated 30.01.2026 and for a consequential direction to the 3rd respondent to grant six days of emergency leave without escort to the petitioner's son, who is a life convict, presently serving sentence at Central Prison, Palayamkottai.

2. We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.



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3. The petitioner, who is the father of the detainee, made a representation seeking emergency leave on the ground that the detainee's mother is suffering from serious health issues and that she requires the physical and emotional support of the detainee. The representation made by the petitioner came to be rejected by the 3rd respondent through the impugned proceedings, dated 30.01.2026 on the ground that there are two pending cases against the detainee.

4. When the matter was taken up for hearing today, the learned Additional Public Prosecutor placed the written instructions received from the 3rd respondent. On going through the same, it is seen that the mother of the detainee is suffering from an ailment. Apart from that, there are two pending cases against the detainee. The learned Additional Public Prosecutor submitted that the detainee has undergone sentence for 2 years, 1 month and 18 days till date and that, this is the first time the detainee is going to avail of emergency leave.



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5. In our considered view, the detenue's mother suffers from a medical ailment and the same is clear from the written instructions given by the 3rd respondent. Hence, she may require the physical and emotional support of the detenue. In view of the same, we are inclined to interfere with the impugned proceedings of the 3rd respondent and grant 6 days of emergency leave to the detenue.

6. In view of the above, the impugned proceeding of the 3rd respondent made in No.4626/thaku.2/2026, dated 30.01.2026, is set aside and there shall be a direction to the 3rd respondent to grant 6 days of emergency leave to the detenue, with the condition that the detenue shall report before the 4th respondent daily at 6.00 p.m. during the entire period of emergency leave. Apart from that condition, the detenue is permitted to submit the sureties before the Superintendent of Prison, Central Prison, Palayamkottai, instead of executing the sureties before the Tahsildar and the two sureties shall be family members of the detenue.



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7. This Writ Petition (Criminal) is allowed with the above directions. No costs.

[N.A.V., J.] & [K.K.R.K., J.]

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NCC : Yes / No

Index : Yes / No

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



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