



W.P.(MD)No.1627 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.03.2026

CORAM:

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

W.P.(Crl.) (MD) No.1627 of 2026

Senthamilselvi

: Appellant(s)

Vs.

1. The State of Tamilnadu,
Rep., by its the Additional Chief Secretary
to Government,
Home, Prohibition and Excise Department,
Fort St. George,
Chennai-9.

2. The District Collector,
Tiruchirappalli District,
Trichy.

3. The Superintendent of Police,
Tiruchirappalli,
Trichy District.

4. The Superintendent,
Trichy,
Central Prison,
Trichy.

5. State of Tamilnadu
Rep by Inspector of Police,
Thuvakkudi Police Station,
Trichy District.

: Respondent(s)

Prayer : Petition filed under Article 226 of the Constitution of India for



W.P(MD)No.1627 of 2026

issuance of Writ of Mandamus, directing the respondents herein to grant emergency leave to the petitioner's son namely vigupathy, S/o. Karuppusamy now confined in Central Prison, Trichy for a period of one week, i.e., from 25.03.2026 to 31.3.2026.

For Appellant : Mr.S.Sundarapandian

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 for the issuance of a writ of mandamus directing the respondents to consider the representation made by the petitioner on 23.03.2026, wherein the petitioner has sought for leave for her son from 25.03.2026 to 31.03.2026.

2. The petitioner's son was arrested on 27.02.2026 in Crime No. 77 of 2026 for alleged offences under Sections 115(2), 118(1), 269(b) and 351 (3) of BNS and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act and was remanded to judicial custody and was confined at Central Prison, Tiruchirappalli. A detention order came to be passed under Act 14 of 1983 on 17.03.2026 against the detenu.



W.P(MD)No.1627 of 2026

3. The marriage of the detenu was fixed on 25.03.2026 and hence, a representation was made by the petitioner on 23.03.2026 seeking for grant of leave to enable her son to get married. Since the same was not considered, the present writ petition came to be filed before this Court.

4. When this writ petition was taken up for hearing during the morning session, this Court directed the learned Additional Public Prosecutor to verify the genuineness of the marriage invitation that had been filed and which forms part of the paper book. Accordingly, the matter was posted and was called after the lunch recess.

5. The learned Additional Public Prosecutor confirmed the fact that the marriage of the detenu has been fixed tomorrow.

6. This Court considered the submissions made on either side and the materials available on record.

7. The petitioner is seeking for an emergency leave under the Tamil Nadu Suspension of Sentence Rules, 1982. Strictly speaking, such an emergency leave cannot be granted since the detenu is not a convict and



W.P(MD)No.1627 of 2026

presently, he is inside jail pursuant to the detention order passed under Act 14 of 1983. In view of the same, this Court is inclined to exercise its extraordinary jurisdiction under Article 226 of the Constitution of India, considering the special circumstances involved in the present case.

8. In view of the above, there shall be a direction to the fourth respondent to release the detenu on 24.03.2026 at 5:00 PM in order to enable him to undergo the marriage on 26.03.2026. The detenu shall surrender before the fourth respondent on 30.03.2026 by 5:00 PM. A surety shall be executed before the fourth respondent for a sum of Rs. 10,000/- by the petitioner's mother and a personal bond shall also be executed by the detenu for the said sum.

9. This writ petition is disposed of in the above terms.

[N.A.V., J.] [K.K.R.K., J.]
24.03.2026

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No
PKN

Note: Issue order copy today i.e., 24.03.2026.



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W.P(MD)No.1627 of 2026

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AND
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PKN

Judgment made in
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24.03.2026