



W.P.Crl..(MD).No.2011 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.04.2026

CORAM

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

W.P.Crl.(MD).No.2011 of 2026

Pavithran

..... Petitioner

Vs.

1.The Deputy Inspector General of Prison,
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 Jail,
Madurai.

3.The Superintendent of Police,
O/o. the Superintendent of Police,
Theni District.

4.The Inspector of Police,
Cumbum Police Station,
Theni.

..... Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records passed by Respondent No.1 in No.717/Thaku.2/2026 dated 05.03.2026 and quash the same as bad in law and in the nature of writ directing the respondent Nos.1 and 2 to grant emergency leave for a period of 15 days to the petitioner's brother namely Parthiban S/o Sivakumar (PID No.307596) who is languishing in the Madurai Central Prison from five years.

For Petitioner : Ms.DR.Lakshmi Prasanna Komara

For Respondents : Mr.E.Antony Sahaya Prabahar,
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 first respondent made in No.717/Thaku.2/2026 dated 05.03.2026 and for a direction to the respondents to grant 15 days emergency leave to the petitioner's brother, who is a convict serving sentence at Madurai Central Prison.

2. Heard the learned counsel on either side.



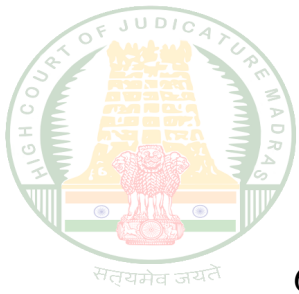
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3. The petitioner's brother was convicted and sentenced for the offence under Sections 8(c) r/w 20(b)(ii)(c), 25, 29(i) of the NDPS Act and he is presently serving sentence at Madurai Central Prison. According to the petitioner, his brother has served sentence for more than five years. The petitioner made a representation seeking for emergency leave on the ground that his mother is suffering from a serious medical ailment and she requires the physical and emotional support of the detenu. However, permission was not granted by the first respondent and aggrieved by the same, the present writ petition has been filed.

4. The learned Additional Public Prosecutor submitted that the representation made by the petitioner has not been rejected and that the petitioner was only asked to produce the original medical certificate and till date, the same has not been produced.

5. The learned counsel appearing for the petitioner submitted that the original medical certificate is available and hence, we directed the learned counsel to hand over the medical certificate to the learned Additional Public Prosecutor.



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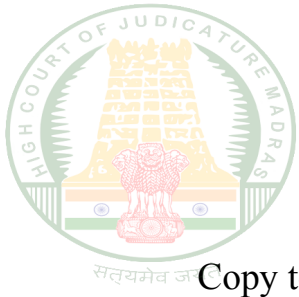
6. The learned Additional Public Prosecutor submitted that the detenu has completed three years of sentence.

7. Taking into consideration the reasons for which the emergency leave has been sought for and considering the fact that the detenu has served for nearly three years and the original medical certificate has also been handed over, we are inclined to direct the first respondent to grant six days emergency leave to the detenu with a condition that the detenu shall report before the fourth respondent daily at 06.00 pm., during the entire period of emergency leave. Apart from that condition, the detenu is permitted to execute the sureties before the Superintendent of Prison, Central Jail, Madurai, instead of executing the sureties before the Tahsildar and two sureties shall be the family members of the detenu. The other conditions imposed by the second respondent shall stand as it is.

8. This Writ Petition (Criminal) is disposed of in the above terms.

[N.A.V., J.] & [K.K.R.K., J.]
10.04.2026

NCC : Yes / No
Index : Yes / No
TSG



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Copy to

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Cumbum Police Station,
Theni.

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



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