



W.P.CRL.(MD).No.2264 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2026

CORAM

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

W.P.Crl.(MD).No.2264 of 2026

Ramalakshmi

..... Petitioner

Vs.

1.The State of Tamil Nadu,

Represented by its

The Deputy Inspector General of Prison (Madurai Range),
(Tamil Nadu Prison and Correctional Services), Madurai.

2.The Superintendent,

Central Prison, Madurai.

3.The Inspector of Police,

Virudhunagar East Police Station,
Virudhunagar District.

..... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Order in No.123/U.Tha.2/2026 dated 25.02.2026 on the file of the 1st respondent and quash the same as illegal and consequently direct the Respondents to release the petitioner's son namely Vijai @ Kurangatti Vijay, S/o.Pandi (PID No.126865) on ordinary leave / emergency leave for 28 days for partition the ancestral property.



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W.P.CRL.(MD).No.2264 of 2026

For Petitioner : Mr.M.Jegadeesh Pandian
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 first respondent made in No.123/U.Tha.2/2026 dated 25.02.2026 and for a consequential direction to the respondents to grant ordinary leave for 28 days to the convict, who is presently serving sentence at Central Prison, Madurai.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondents.

3. The petitioner is the mother of the convict. The convict is presently serving sentence at Central Prison, Madurai and he has already undergone sentence for 8 years, 2 months and 7 days as on 28.04.2026. A representation was made by the petitioner seeking ordinary leave on the ground that the petitioner is suffering from age-related ailments and certain



W.P.CRL.(MD).No.2264 of 2026

properties will have to be settled. The representation came to be rejected by the first respondent through the proceedings dated 25.02.2026 on the ground that there are two previous cases pending against the convict. Aggrieved by the same, the present Writ Petition has been filed before this Court.

4. The second respondent has filed a counter affidavit. The details of the previous cases against the convict have been provided at paragraph No.4 of the counter affidavit. It is further stated that the convict is not entitled to the grant of ordinary leave since there are previous cases pending against the convict. Accordingly, the respondents have sought for dismissal of this petition.

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

6. The convict has undergone sentence for 8 years, 2 months and 7 days and it is brought to our notice that only once he went out on emergency leave to attend the funeral of his father. Apart from that, the



W.P.CRL.(MD).No.2264 of 2026

WEB COPY

convict has not gone out of the jail either on emergency leave or on ordinary leave. We also take into consideration the reason for which, the ordinary leave has been sought for by the mother of the convict. In view of the above, we are inclined to interfere with the impugned proceedings of the first respondent and the same is hereby quashed. There shall be a direction to the first respondent to grant 28 days ordinary leave to the convict with the condition that he will report before the 3rd respondent Police every day at 6.00 PM during the entire ordinary leave period. There shall be a further condition that the convict will appear before the concerned trial Court regularly during hearing days in the two pending cases.

5. In the result, this Writ Petition is allowed. No costs.

[N.A.V., J.] & [K.K.R.K., J.]
29.04.2026

NCC : Yes / No

Index : Yes / No

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W.P.CRL.(MD).No.2264 of 2026

To

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(Tamil Nadu Prison and Correctional Services), Madurai.
- 2.The Superintendent,
Central Prison, Madurai.
- 3.The Inspector of Police,
Virudhunagar East Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P.CRL.(MD).No.2264 of 2026

N.ANAND VENKATESH, J.
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W.P.Crl.(MD).No.2264 of 2026

29.04.2026