



W.P.CRL.(MD).No.2528 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2026

CORAM

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

**W.P.Crl.(MD).No.2528 of 2026
and
W.M.P.(MD).No.613 of 2026**

Banumathi

..... Petitioner

Vs.

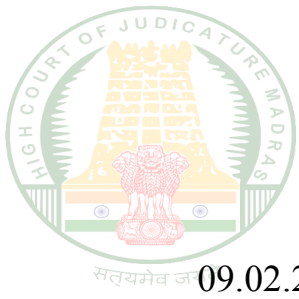
**1.The Deputy Inspector General of Prison,
O/o. the Deputy Inspector General of Prison
and Correctional Services, Madurai
Range, Madurai Central Prison Campus,
New Jail Road, Madurai.**

**2.The Superintendent of Prison,
Madurai Central Prison, Madurai District.**

**3.The Superintendent of Police,
O/o. the Superintendent of Police,
Madurai 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.450/Tha.Ku.2/2025 dated**



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09.02.2026 on the file of Respondent No. 2 and quash the same as illegal and consequently direction directing the second respondent to grant ordinary leave without escort for the period of 21 days to the petitioner's son, namely, Praveen Raj, s/o. Muthaiah (convict prisoner C.P.No.1279) (PID No.284871) confined at Central Prison, Madurai, within time stipulated by this Court.

For Petitioner : Mr.K.Dinesh

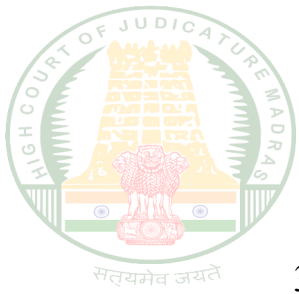
For Respondents : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

ORDER

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

This writ petition has been filed challenging the proceedings of the second respondent made in No.450/Tha.Ku.2/2025 dated 09.02.2026 and for a consequential direction to the second respondent to grant 21 days ordinary leave to the convict, who is presently undergoing sentence at Central Prison, Madurai.

2. Heard the learned counsel on either side.

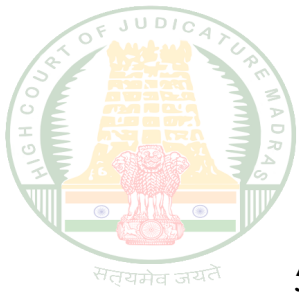


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3. The petitioner is the mother of the convict. He was convicted for the offence under the NDPS Act and he is presently serving sentence at Central Prison, Madurai. The petitioner submitted a representation to the respondents seeking for 21 days ordinary leave on the ground that an operation has to be immediately performed on the right knee and the medical treatment has to be done in a private hospital.

4. The second respondent through the impugned proceedings dated 09.02.2026 rejected the representation on the ground that steps were taken to get the convict operated and treated in the Government hospital. But, however, the convict refused to take treatment in the Government hospital. Therefore, considering the conduct of the convict and taking note of the fact that the convict was refusing to take treatment even though the authorities were willing to provide him with the best treatment, the second respondent proceeded to reject the representation made by the petitioner. Aggrieved by the same, the present petition has been filed before this Court.



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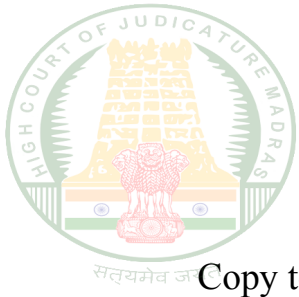
5. In our considered view, the convict requires an operation in his knee and the same can be performed effectively in the Government hospital which has all the facilities. Therefore, the convict and the petitioner cannot insist that surgery and treatment should be done only in a private hospital. Therefore, the reason that has been assigned by the second respondent in the impugned proceedings is perfectly in order. Therefore, we are not inclined to interfere with the proceedings of the second respondent.

6. In view of the above, there shall be a direction to the Jail Authorities to provide necessary medical treatment to the convict in the Government hospital.

7. This Writ Petition is disposed of in the above terms. Consequently, the connected miscellaneous petition is closed.

[N.A.V., J.] & [K.K.R.K., J.]
30.04.2026

NCC : Yes / No
Index : Yes / No
TSG



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Copy to

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,
Madurai Central Prison, Madurai District.

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

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



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AND
K.K.RAMAKRISHNAN, J.

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