



W.P.CrL.(MD) No.2759 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :13.05.2026

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
and
THE HONOURABLE MR.JUSTICE K. RAJASEKAR

W.P.CrL.(MD) No.2759 of 2026
and
WMP CrL.(MD) No.667 of 2026

Maharajothi

... Petitioner

-VS-

1. The Deputy Inspector General of Prison,
O/o. The Deputy Inspector General of Prison
and Correctional Services Department
Madurai Region
Madurai.

2. The Superintendent of Prison
Central Prison
Madurai.

3. The Superintendent of Police
Thoothukudi District.

4. The Inspector of Police
Thiruchendur Taluk Police Station
Thoothukudi District.

..Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue
a Writ of Certiorarified Mandamus calling for the records of the order passed
by the 2nd respondent in No. 1305/ThaKu.2/2026 dated 30.04.2026 and quash



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the same and consequently directing the 1st and 2nd respondents to grant 15 days emergency leave to the petitioner's father namely Kannan @ Pitchaikannu, S/o.Ramakrishnan, (PID No. 534463) without escort now confined at Central Prison, Madurai.

For Petitioner : Mr.S.Srikanth
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

[Order of the Court was made by G.K.ILANTHIRAIYAN, J.]

The prayer in the petition is to quash the impugned order passed by the second respondent in No. 1305/ThaKu.2/2026 dated 30.04.2026 and direct the the respondents 1 and 2 to grant 15 days emergency leave to the petitioner's father namely Kannan @ Pitchaikannu, S/o.Ramakrishnan, (PID No. 534463) without escort now confined at Central Prison, Madurai.

2. It is the case of the petitioner that her father was convicted by the Mahila Court, Madurai in S.C.No.267 of 2019 dated 21.12.2022 and sentenced to undergo life imprisonment. Aggrieved over the same, the convict has preferred an appeal before this Court and the same was also dismissed. While being so, the petitioner got married and delivered a female baby therefore inorder to visit the new born child the daughter of the convict has



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applied for 15 days emergency leave for her husband, however it was rejected on the ground that the father of the petitioner is facing yet another case in C.C.No. 870 of 2023 for the offences under Sections 8(C) r/w. 20(b)(ii) (B), 29(1) of NDPS Act on the file of the EC Court, Madurai, thereby he is not eligible for ordinary leave.

3.The learned Additional Public Prosecutor, on instructions, submitted that the request of the petitioner was rejected on the ground that the convict is facing yet another case.

4. The petitioner has applied for emergency leave to visit the child born on 24.04.2026.

5. Considering the above facts and circumstances of the case, this Court is inclined to grant two days emergency leave to the convict without escort. In view of the same the order passed by the first respondent cannot be sustained and the same is liable to be set aside.



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6. Accordingly, the impugned order passed by the first respondent is set aside and writ petition is disposed of with the following directions:

- (i) The first respondent directed to grant two days emergency leave without to the convict prisoner namely, Kannan @ Pitchaikannu, S/o.Ramakrishnan, (PID No. 534463) confined at Central Prison, Madurai. on 16.05.2026 and 17.05.2026. The convict prisoner shall be released from the prison on 16.05.2026 at 9.00 am.,
- (ii) He shall report back to the Superintendent of Prison, Central Jail, Madurai/ second respondent, by 17.05.2026 at 6.00pm.,
- (iii) The petitioner shall produce all necessary documents, along with a copy of this order, before the jail authorities,
- (iv)) During the leave period the convict prisoner shall report before the fourth respondent daily at 10.30 a.m., and 5.30 pm.,
- (v) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail



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Manual. Consequently connected miscellaneous
petition stands closed.

[G.K.I., J.] [K.R.S., J.]
13.05.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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Note: Issue order copy on 14.05.2026

To:

1. The Deputy Inspector General of Prison,
O/o. The Deputy Inspector General of Prison
and Correctional Services Department
Madurai Region
Madurai.

2. The Superintendent of Prison
Central Prison
Madurai.

3. The Superintendent of Police
Thoothukudi District.

4. The Inspector of Police
Thiruchendur Taluk Police Station
Thoothukudi District.

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



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and
K. RAJASEKAR, J.

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