



W.P.Crl..(MD).No.2871 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.05.2026

CORAM

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
AND
THE HONOURABLE MR.JUSTICE P.VADAMALAI**

W.P.Crl.(MD).No.2871 of 2026

Eshwarithai

... Petitioner

Vs

1. The Home Secretary,,
Government of Tamil Nadu,
Secretariat,
Fort St. George,
Chennai - 600 009..

2. The Deputy Inspector General of Prisons,,
Madurai Range,
Madurai- 625001..

3. The Superintendent of Prison,,
Central Prison,
Palayamkottai - 627 007..

4. The Inspector of Police,,
Sivagiri Police Station,
Tenkasi District..

... Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the proceedings in No. 471/Utha.2/2026 dated 11.05.2026 issued by the 2nd respondent quash the same and consequently direct the respondents to grant 28 days ordinary leave without escort and conditions to the petitioner's husband Anthony @ Anthonysamy S/o.Arulappan, PID No.298738.

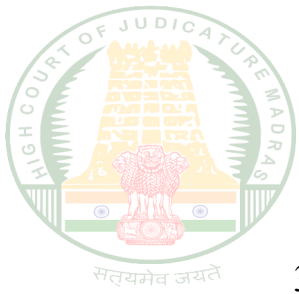
For Petitioner Ms.M.Nandhini
For Respondents : Mr.N.Leninkumar
 Additional Public Prosecutor

ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

This writ petition has been filed challenging the proceedings of the 2nd respondent dated 11.05.2026, wherein the 2nd respondent, while granting 28 days ordinary leave to the convict, had imposed a condition that the convict will be accompanied by an escort.

2. Heard the learned counsel on either side.

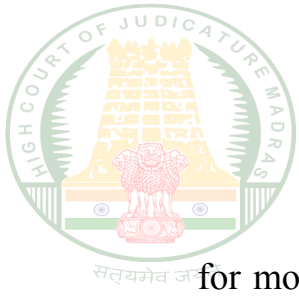


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3. The petitioner is the wife of the convict. The husband of the petitioner is convicted by the learned I Additional Sessions Judge, Tirunelveli in SC No.89 of 2014 and sentenced to undergo life imprisonment for the offence under Section 302 of IPC. Aggrieved by the same, the convict has also preferred an appeal before this Court and the same was confirmed by this Court and he is in prison from the date of conviction. The petitioner has applied for 28 days ordinary leave for her husband and the second respondent by an impugned order dated 11.05.2026 has granted 28 days ordinary leave to the husband of the petitioner with escort. The family of the prisoner is struggling financially and the order passed granting 28 days ordinary leave with escort deprives the prisoner of utilizing the sanctioned leave due to poverty. Further the petitioner has not been in any adverse notice and ground of leave with escort makes the life practically impossible and the prisoner has to pay the escort charges for the 28 days and thereby the present petition has been filed seeking for ordinary leave without escort.

4. Taking into consideration the facts and circumstances of the case and considering the fact that the convict has already undergone sentence



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for more than four years and the reasons for which the ordinary leave has been sought for, we are inclined to modify the condition to the effect that the convict shall go on ordinary leave for a period of 28 days without escort and shall report before the fourth respondent daily at 06.30 p.m., during the entire period of ordinary leave. The other conditions imposed by the 2nd respondent shall remain intact.

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

[A.D.J.C., J.] & [P.V.M., J.]
27.05.2026

NCC : Yes / No
Index : Yes / No
RR



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TO

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4. The Inspector of Police,,
Sivagiri Police Station,
Tenkasi District..
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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A.D.JAGADISH CHANDIRA, J.
AND
P.VADAMALAI, J.

RR/aav

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