



W.P.Crl..(MD).No.2895 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.06.2026

CORAM

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

**W.P.Crl.(MD).No.2895 of 2026
and
W.M.P.(MD).No.712 of 2026**

Susamma Baby

Vs.

..... Petitioner

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,
Rajapalayam North Police Station,
Virudhunagar District.

..... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India for



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issuance of Writ of Certiorarified Mandamus, calling for the records of the order passed by the first respondent in No. 489/Ootha.2/2026 dated 12.05.2026 and quash the same and consequently directing the first respondent to grant 21 days ordinary leave to the petitioner's husband, namely, Joseph Raja W/o. Joseph Chellappa (PID No.423201) without escort now confined at Central Prison, Madurai.

For Petitioner : Mr.S.Srikanth

For Respondents : Mr.T.Lenin Kumar,
Counsel for State of Tamil Nadu,
(Criminal Side)

ORDER

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

This writ petition has been filed challenging the impugned proceedings of the first respondent made in No.489/Ootha.2/2026 dated 12.05.2026 and for a consequential direction to the first respondent to grant 21 days ordinary leave to the petitioner's husband, who is presently serving sentence at Central Prison, Madurai.

2. Heard the learned counsel on either side.



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3. The petitioner's husband is a life convict and is presently serving sentence at Central Prison, Madurai. The petitioner made a representation to the first respondent seeking for ordinary leave on the ground that she is suffering from cancer and has to undergo medical treatment and she required the physical and emotional support of her husband.

4. The representation made by the petitioner came to be rejected by the first respondent through the impugned proceedings dated 12.05.2026 on the ground that the convict has undergone sentence only for 2 years and nine months and therefore, he is not entitled for emergency leave as per Rule 22(1)(c) of the Tamil Nadu Suspension of Sentence Rules, 1982. Aggrieved by the same, the present writ petition has been filed before this Court.

5. The learned counsel for the State of Tamil Nadu (Criminal Side) submitted that the convict is not entitled for grant of ordinary leave, since he has not satisfied the minimum requirement under the Rules.



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6. In our considered view, the reason assigned by the petitioner seeking for ordinary leave is that she is suffering from cancer and she required immediate medical attention. Hence, considering the ground on which the leave has been sought for, we are inclined to direct the first respondent to grant emergency leave to the convict in order to enable the convict to arrange for necessary funds for the petitioner to undergo treatment. Considering the exceptional circumstances, we are inclined to interfere with the impugned proceedings of the first respondent dated 12.05.2026 for a different reason.

7. In view of the above, the impugned proceedings of the first respondent made in No. 489/Ootha.2/2026 dated 12.05.2026 is hereby quashed and there shall be a direction to the second respondent to grant six days emergency leave to the convict subject to the condition that the convict will report before the fourth respondent daily at 05.00 p.m., during the entire period of emergency leave. There shall also be a direction to the the convict not to cause any disturbance to the victim girl or her family during the entire period of emergency leave.



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8. In the result, this writ petition (Criminal) stands disposed of.

Consequently, the connected miscellaneous petition is closed.

[N.A.V., J.] & [K.K.R.K., J.]
03.06.2026

NCC : Yes / No

Index : Yes / No

TSG

Copy 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,
Rajapalayam North Police Station,
Virudhunagar District.

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



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