



W.P.Crl.(MD).No.2943 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.06.2026

CORAM

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
AND
THE HONOURABLE MR.JUSTICE P.B.BALAJI**

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Indhira

..... Petitioner

Vs.

1.The Additional Director General of Police,
(Prisons and Correctional Services),
Thalaimuthu Natrajan Maligai,
Egmore, Chennai-600 008.

2.The Deputy Inspector General of Prisons and
Correctional Services, Madurai Range,
Madurai.

3.The Superintendent of Prisons,
Central Prison, Palayamkottai,
Tirunelveli District.

4.The Superintendent of Police, Thoothukudi,
Thoothukudi District.

5.The Inspector of Police,
Thoothukudi South Police Station,
Thoothukkudi District.
(Crime No.310/1993)

..... 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 pertaining to the impugned order passed by the second respondent in No. 251/vutha2/2026 dated 16.05.2026, quash the same as illegal and unconstitutional, and consequently direct the respondent Nos.1 to 3 to grant ordinary / emergency leave to the petitioner's husband, Prabhu, s/o. Thiburisyan (life convict prisoner PID No.16990 / Prisoner No.2121) currently confined at Central Prison, Palayamkottai for a period of 40 days (or any period this Court deems fit) to take care of the petitioner and manager her medical treatment.

For Petitioner : Ms.A.Banumathy

For Respondents : Mr.T.Lenin Kumar,
Counsel for the 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 proceedings of the second respondent made in No.251/vutha2/2026 dated 16.05.2026 and for a consequential direction to the respondents to grant 40 days ordinary



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leave to the petitioner's husband, who is presently serving sentence at Central Prison, Palayamkottai.

2. Heard the learned counsel on either side.

3. The petitioner's husband is a life convict, who is undergoing sentence at Central Prison, Palayamkottai. The petitioner submitted a representation seeking for 40 days ordinary leave on the ground that the petitioner is suffering from serious ailments and she required the physical and emotional support of the convict.

4. The second respondent through the impugned proceedings dated 16.05.2026, rejected the representation mainly on the ground that the convict was convicted under the NDPS Act for possessing commercial quantity. In view of the same, the second respondent had resorted to the bar contained under Rule 21(h)(3) of the Tamil Nadu Suspension of Sentence Rules, 1982. When the matter came up for hearing on 05.06.2026, this Court directed Mr.T.Lenin Kumar, learned Counsel for the State of Tamil Nadu (Criminal Side) to take instructions as to whether the convict was convicted under the NDPS Act for possessing commercial quantity.



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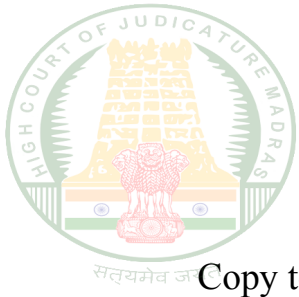
5. When the matter was taken up for hearing today, the learned counsel for the State of Tamil Nadu (Criminal Side) clarified that the convict was not convicted for possessing commercial quantity and he was only convicted for possessing 1.100 kgs of ganja. The learned counsel also submitted that the convict has already undergone sentence of 14 years, 11 months and 8 days.

6. Taking into consideration the facts and circumstances of the case and the clarification given by the learned counsel for the State, we are inclined to interfere with the order passed by the second respondent dated 16.05.2026 and the same is hereby quashed. There shall be a direction to the second respondent to grant 40 days emergency leave to the convict subject to the condition that he will report before the fifth respondent Police daily at 05.00 p.m., during the entire ordinary leave period. The sureties shall be executed before the jail authorities.

7. In the result, this Writ (Criminal) petition stands disposed of.

[N.A.V., J.] & [P.B.B., J.]
09.06.2026

NCC : Yes / No
Index : Yes / No
TSG



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Copy to

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Thoothukudi District.

5.The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District.

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