



W.P.Crl.(MD)Nos.2964 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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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.2964 of 2026

Muthuvelu

: Petitioner (s)

Vs.

1. The State Rep. by its
The Deputy Inspector General of Prison,
Madurai Zone,
Madurai Central Prison,
Madurai – 625 016.

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

3. The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.

4. The Inspector of Police,
Karimedu Police Station,
Madurai District.

: Respondent(s)

Prayer : Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to grant ordinary leave for 40 days without escort to petitioner's brother, the



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detenu, Mareeswaran, S/o.Kalimuthu, PID No.282607, detained at
Central Prison, Madurai District.

For Petitioner : Mr.Aadithya @ Ayyanar.K

For Respondents : Mr.T.Lenin Kumar
Counsel for State (Crl.)

ORDER

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

This writ petition has been filed by the brother of the convict for a direction to the respondents to grant ordinary leave to the convict based on the representation dated 03.06.2026.

2. Heard the learned counsel for the petitioner and the learned Counsel appearing for the State.

3. The petitioner's brother was convicted and sentenced for offence under the NDPS Act and a judgment of the trial court was also confirmed in appeal by this Court. The convict was sentenced to undergo ten years imprisonment and it is stated in the affidavit that he has undergone six years imprisonment.



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4. The representation was made by the petitioner on 03.06.2026 to the effect that the petitioner's son died due to drowning and that the final rites are going to be performed and hence, the petitioner has sought for grant of ordinary leave to the convict. Since the representation was not considered, the present writ petition has been filed before this Court.

5. The learned counsel for the petitioner submitted that the conviction and sentence against the convict has become final and no further appeal has been filed before the Apex Court.

6. The ground on which the ordinary leave has been sought for by the petitioner is unsustainable since it does not satisfy any ground provided under Rule 20 of the “Tamil Nadu Suspension of Sentence Rules, 1982” (hereinafter referred to as the “Rules” for brevity). That apart, the convict is ineligible for ordinary leave due to the bar provided under Rule 21(h)(3). Therefore, there is no question of granting ordinary leave in the light of such bar contained in the Rules.

7. The next issue is as to whether considering the grounds raised, emergency leave can be granted. Strictly speaking, the ground that has



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been raised in this writ petition does not fall within any of the requirement under Rule 6 of the Rules. However, considering the fact that the convict's nephew has died under unfortunate circumstances, as an extraordinary case, we deem it fit to grant permission to the convict to attend the funeral.

8. In view of the above, there shall be a direction to the second respondent to permit the convict to attend the final rites with escort and immediately after completion of final rites, the convict shall be brought back to the prison. Insofar as escort is concerned, the Commissioner of Police, Madurai City, shall provide the necessary escort on the request made by the second respondent. This direction is given considering the extraordinary circumstances in the present case. This order cannot be taken as a precedent in any other case.

9. This writ petition stands disposed of with the above directions.

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

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No
PKN



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Note: Issue order copy today (03.06.2026)

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To
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AND
K.K.RAMAKRISHNAN, J.

PKN

Judgment made in
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03.06.2026