



W.P.Crl..(MD).No.3190 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.06.2026

CORAM

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

W.P.Crl.(MD).No.3190 of 2026

Muneeswari

Vs.

..... Petitioner

1.The Deputy Inspector General of Prison,
Office of the Deputy Inspector General of
Prison,
Madurai Central Prison Campus,
Madurai - 625 016

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

3.The Inspector of Police,
Kamuthi Police Station,
Ramanathauram District.

..... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India for
issuance of Writ of Certiorarified Mandamus, calling for the records



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relating to the impugned order No.502/U.Th.2/206, dated 24.05.2026 issued by the first respondent and quash the same as illegal and consequently to direct the respondents to release the petitioner's son, namely, Gandhi @ Gandivel (convict Prisoner No.5937) (PID No.32380) son of Malaichamy, aged about 36 years, who is now confining at Madurai Central Prison from the Prison on the leave for forty days without escort by considering the petitioner's representation dated 08.05.2026 in accordance with law.

For Petitioner : Mr.T.Karthick

For Respondents : Mr.D.Venkatesh,
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 impugned proceedings of the first respondent made in No.502/U.Th.2/206, dated 24.05.2026 and for a direction to the respondents to grant ordinary leave to the petitioner's son, who is undergoing sentence at Central Prison, Madurai.



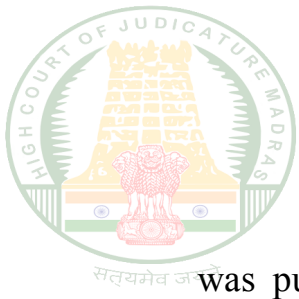
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2. Heard the learned counsel on either side.

3.The petitioner's son was convicted in S.C.No.144 of 2017 and sentenced to undergo life imprisonment by the trial Court. An appeal was filed before this Court in Crl.A.No.714 of 2018 and sentence was modified to ten years Rigorous Imprisonment. Pursuant to the same, the petitioner's son was serving sentence at Central Prison, Madurai.

4. The petitioner submitted a representation on the ground that she is suffering from serious illness and she required the physical and emotional support of the convict. The said representation made by the petitioner came to be rejected by the first respondent through the impugned proceedings dated 24.05.2026 on the ground that earlier, the emergency leave was granted to the convict and the convict was supposed to surrender on 08.03.2025 and whereas, he did not surrender on time and therefore, a team was formed to secure the convict and he was brought to the jail on the same day at about 20.10 hours. In view of the same, the bar provided under Rule 21(i) of the Tamil Nadu Suspension of Sentence Rules, 1982



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was put against the convict and the permission for ordinary leave was rejected. Aggrieved by the same, the present writ petition has been filed before this Court.

5. In the considered view of this Court, the convict was supposed to surrender on 08.03.2025 within a particular time and the convict seems to have crossed the time limit, but, however, he was brought to the jail on the same day at 20.10 hours. Hence, this cannot be considered to be a case where the convict had attempted to abscond after being granted emergency leave. Apart from that, we also find that the convict has undergone sentence of nearly nine years and six months. Considering the reason for which the ordinary leave has been sought for, we are inclined to interfere with the impugned proceedings of the first respondent dated 24.05.2026 and the same is hereby quashed.

6. There shall be a direction to the first respondent to grant 28 days ordinary leave to the convict subject to the condition that he will report before the third respondent daily at 05.00 p.m., during the entire period of ordinary leave. The sureties will be furnished by the convict before the Jail Authorities.



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

**[N.A.V., J.] & [K.K.R.K., J.]
17.06.2026**

NCC : Yes / No
Index : Yes / No
TSG

Copy to

1.The Deputy Inspector General of Prison,
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Prison,
Madurai Central Prison Campus,
Madurai - 625 016

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

3.The Inspector of Police,
Kamuthi Police Station,
Ramanathauram District.

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



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K.K.RAMKRISHNAN, J.

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