

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.10.2015

CORAM

THE HONOURABLE DR.JUSTICE S.TAMILVANAN
AND
THE HONOURABLE MR.JUSTICE C.T.SELVAM

H.C.P.No.2212 of 2015

P.Durga Devi
W/o.Palanisamy

...Petitioner

vs.

1. The Government of Tamil Nadu,
represented by its
Secretary to Government,
Home (Prison IV) Department,
Fort St.George,
Chennai - 9.
2. The Additional Director General of Prisons,
Thalamuthu Natarajan Maaligai,
2nd Floor, Gandhi Irwin Road,
Egmore, Chennai - 8.
3. The Superintendent of Central Prison,
Puzhal, Chennai.

...Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus directing the respondents herein to produce the detenu R.Palanisamy, Life Convict No.5362, now confined at Central Prison, Puzhal, Chennai, before this Court and direct the respondents to grant parole to the detenu for a period of 25 days without police escort in pursuant to petitioner's representation dated 30.06.2015.

For Petitioner : Mr.G.Jeremiah

For Respondents : Mr.A.N.Thambi Durai
Additional Public Prosecutor

O R D E R
(Order of the Court made by S.TAMILVANAN, J.)

Petitioner is the wife of the life convict R.Palanisamy (C.P.No.5362) (hereinafter referred to as accused) and she has filed this petition seeking a direction to respondents to grant parole to her husband for a period of 25 days without police escort.

2. Heard learned counsel for petitioner and learned Additional Public Prosecutor.

3. Learned Additional Public Prosecutor submits that as the accused was convicted for offence u/s.392 IPC, ordinary leave could not be granted and he is entitled to emergency leave for a period of three days. Learned Additional Public Prosecutor further submitted that the Superintendent of Central Prison, Puzhal, Chennai, has already granted emergency leave to the accused from 12.10.2015 to 16.10.2015 and the accused should return to the custody of Superintendent of Central Prison, Puzhal, Chennai, on 16.10.2015.

In view of the submission made by learned Additional Public Prosecutor, this Court makes it clear that the accused should return to the custody of Superintendent of Central Prison, Puzhal, Chennai, on 16.10.2015. This Habeas Corpus Petition is closed with the above observation. It is open to the petitioner to move a petition afresh.

Sd/-
Assistant Registrar(CO)

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सत्यमेव जयते
Sub Assistant Registrar

gm

To

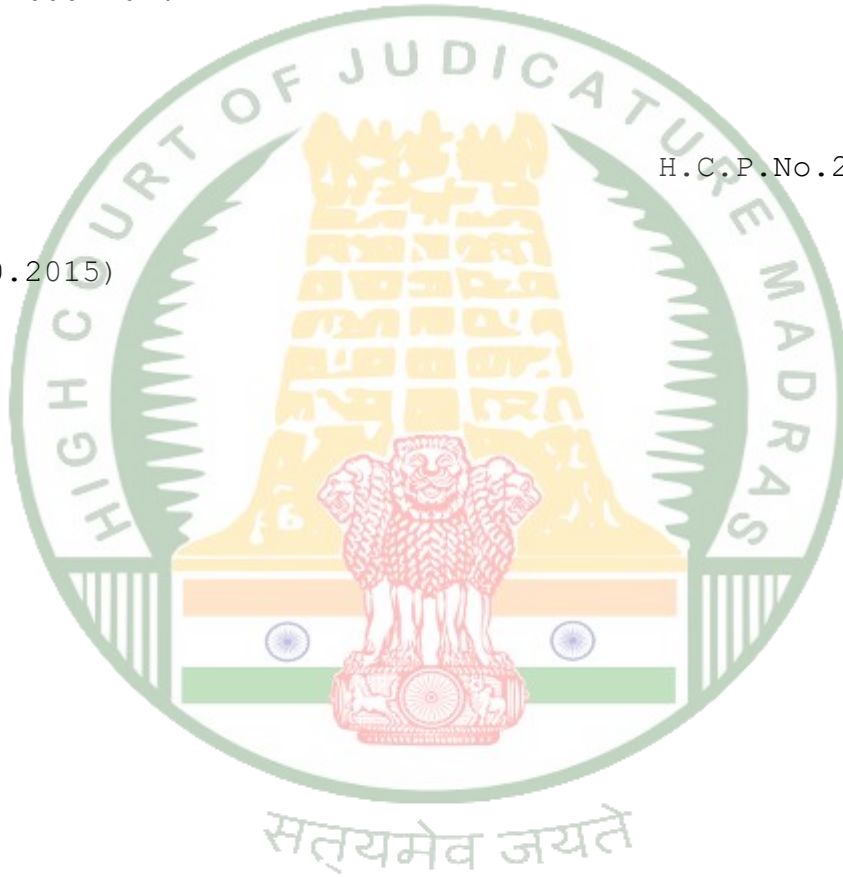
1. The Secretary to Government,
Home (Prison IV) Department,
Fort St.George,
Chennai - 9.

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2. The Additional Director General of Prisons,
Thalamuthu Natarajan Maaligai,
2nd Floor, Gandhi Irwin Road,
Egmore, Chennai - 8.
3. The Superintendent of Central Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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NM (CO)
PSI (28.10.2015)



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