

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.11.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUDHAKAR
AND
THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Habeas Corpus Petition No.2577 of 2015

Balu @ Dhanapal

..... Petitioner

Vs.

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

..... Respondents

PETITION under Section 226 of The Constitution of India
praying for the issuance of Writ of Habeas Corpus directing the
respondents herein to produce the detenu Balu @ Dhanapal, Life
Convict No.319 of Central Prison, Cuddalore, now confined in
Central Prison, Puzhal, Chennai before this Court and direct the
respondents to grant parole for a period of 25 days without
police escort with jail transfer to the detenu from Central
Prison, Puzhal, Chennai to Central Prison, Salem in pursuant to
petitioner's representation dated 22.08.2015.

For Petitioner : Mr.G.Jeremiah

For Respondents : Mr.A.N.Thambidurai,
Addl. Public Prosecutor

O R D E R
(Order of the Court was made by P.N.PRAKASH,J.)

This Habeas Corpus Petition is filed by the detenu for a direction to the respondents to produce the detenu Balu @ Dhanapal, Life Convict No.319 of Central Prison, Cuddalore, now confined in Central Prison, Puzhal, Chennai before this Court and direct the respondents to grant parole for a period of 25 days without police escort with jail transfer to the detenu from Central Prison, Puzhal, Chennai to Central Prison, Salem in pursuant to petitioner's representation dated 22.08.2015.

2. It is seen that the petitioner is a life convict and is undergoing imprisonment in Central Prison, Cuddalore. Since he is suffering from eye ailment, he was transferred from Central Prison, Cuddalore to Central Prison, Puzhal, Chennai for better treatment in the eye hospital in Chennai. While so, the petitioner has given representation to the jail authorities for transferring him to Central Prison, Salem and further he is not cooperating with the authorities for undergoing surgery in the hospital in Chennai.

3. This Court feels that the intention of the petitioner appears to be browbeating the department on some pretext or other and there is no seriousness in the issue. Therefore, there is no cause for issuing Writ of Habeas Corpus. Accordingly, this Petition stands dismissed.

sl

s/d-
Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

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

4. The Superintendent of Central Prison, Puzhal, Chennai.

5. The Public Prosecutor, High Court, Madras.

+ 1 cc to Mr.B.Nambiselvan, Advocate SR 61127

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