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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2015

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THE HON'BLE MR.JUSTICE C.T.SELVAM

CRL.O.P. (MD) No.1530 of 2015

Tamilselvi

.. Petitioner

.. Vs ..

1.The Superintendent of Prison,
Central Prison, Madurai,
Arasaradi, Madurai-10.

2.The Commissioner of Police,
Madurai City.

3.The Inspector of Police,
Keerathurai Police Station,
Madurai City.

.. Respondents

Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, to direct the first respondent to consider the petitioner's representation, dated 08.01.2015 and 19.01.2015 and to direct him to give emergency leave of 15 days to the convict namely Manikandan @ Nagendra Bhoopathi, aged 37 years undergoing life sentence in Central Prison, Madurai.

For Petitioner : Mr.J.William Christopher

For Respondents : Mr.K.V.Rajarajan
Government Advocate(Crl. Side)

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ORDER

This Criminal Original Petition has been filed to direct the first respondent to consider the petitioner's representation, dated 08.01.2015 and 19.01.2015 to give emergency leave of 15 days to the life convict namely Manikandan @ Nagendra Bhoopathi, aged 37 years, who is undergoing life sentence in Central Prison, Madurai.

2. The learned counsel for the petitioner submits that the petitioner is the elder sister of life convict Manikandan @ Nagendra Bhoopathi, convicted for offence under Section 302 I.P.C., and he has moved the Honourable Supreme Court against his conviction by this Court in appeal. He would further submit that Manikandan @ Nagendra Bhoopathi is a H.I.V Patient, presently suffering from tuberculosis, his mother is aged 70 years and there is need to arrive at a settlement between the family members over ancestral property. The petitioner's father as also the paternal uncle, who took care of the family have both passed away.



3. The learned counsel for the petitioner further submits that despite the representations on 08.01.2015 and 19.01.2015, the same have not been favourably considered.

4. The learned Government Advocate(Crl. Side) on instructions confirms that the petitioner is a H.I.V Patient and that he would be granted emergency leave on paying the cost of police personnel accompany him during the leave period.

5. On consideration of rival submissions, this Court would direct the first respondent, The Superintendent of Prison, Central Prison, Madurai to take usual safeguards and grant emergency leave for the period starting from 09.30 a.m., on 09.03.2015 upto 05.30 p.m., on 16.03.2015 without insisting upon payment of cost by the petitioner.

Accordingly, this Criminal Original Petition is ordered.

Sd/
Assistant Registrar

/True copy/

sub Assistant Registrar(c.s)

To

- 1.The Superintendent of Prison,
Central Prison, Madurai,
Arasaradi, Madurai-10.
- 2.The Commissioner of Police,
Madurai City.
- 3.The Inspector of Police,
Keerathurai Police Station,
Madurai City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S. J.William Christopher, Advocate in SR.No. 9949.

TS/04.03.2015/2P-6C

CRL.O.P. (MD) No.1530 of 2015

02.03.2015