

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2016

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

Cr1.O.P.No.29871 of 2015

Tmt.Amaravathi,
W/o.Selvam @ Bomb Selvam,
67, Nehru Nagar,
Villivakkam,
Chennai-600 049.

... Petitioner

Vs.

1.State, represented by
The Secretary to Government of Tamil Nadu,
Department of Home,
Fort St. George,
Chennai-600 009.

2.The Superintendent of Central Prison,
Puzhal-1, Chennai-600 066. Respondents

Prayer: Petition filed under Section 482 of Cr.P.C., praying to direct the respondents to grant one month ordinary leave to the petitioner's husband Selvam @ Bomb Selvam, S/o.Duraikannu, Life Convict, now confined at Central Prison, Puzhal, Chennai.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.C.Emalias, APP

ORDER

This petition has been filed by the petitioner, who is the wife of life convict Selvam @ Bomb Selvam, praying to direct the respondents to grant one month ordinary leave to her husband (life convict), by granting parole.

2.It is stated by the petitioner that the petitioner's husband viz., Selvam @ Bomb Selvam has been convicted for the offences under Sections 120B & 302 IPC and sentenced to undergo life imprisonment, by judgment dated 19.04.2004 in S.C.No.87 of 2003 on the file of the learned Additional Sessions Court at

Chennai. The appeal filed by the petitioner's husband was also dismissed by this Court on 06.10.2007. Now, the petitioner's husband has been confined in Central Prison, Puzhal, Chennai. It is further stated by the petitioner that the petitioner met with an accident and she has become disabled and three plates have been inserted in her legs and now, the same has to be removed. Further, their only daughter also got married and there is no one to look after her. Hence, the petitioner made representation dated 28.11.2015 to the respondents requesting to grant parole to her husband Selvam @ Bomb Selvam for one month. Since the petitioner's request was not considered by the respondents, she has come for with the present petition before this Court.

3. Heard both sides. It is submitted by the learned Additional Public Prosecutor that instead of one month leave, the petitioner's husband may be grant six days leave to attend the petitioner.

4. Considering the facts and circumstances of the case, this Court directs the 2nd respondent to grant leave to the petitioner's husband Selvam @ Bomb Selvam for a period of six days ie., from 08.01.2016 to 13.01.2016, with armed escort. The life convict Selvam @ Bomb Selvam shall report before the 2nd respondent by 5.00 pm on 13.01.2016. The petitioner is directed to bear the expenses for giving protection to the petitioner's husband during the leave period. The 2nd respondent is also permitted to impose reasonable conditions taking into account the security and return of the life convict to the jail after the expiry of the leave period.

The criminal original petition is allowed as indicated above.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To,

1. The Secretary to Government of Tamil Nadu,
Department of Home,
Fort St. George,
Chennai-600 009.

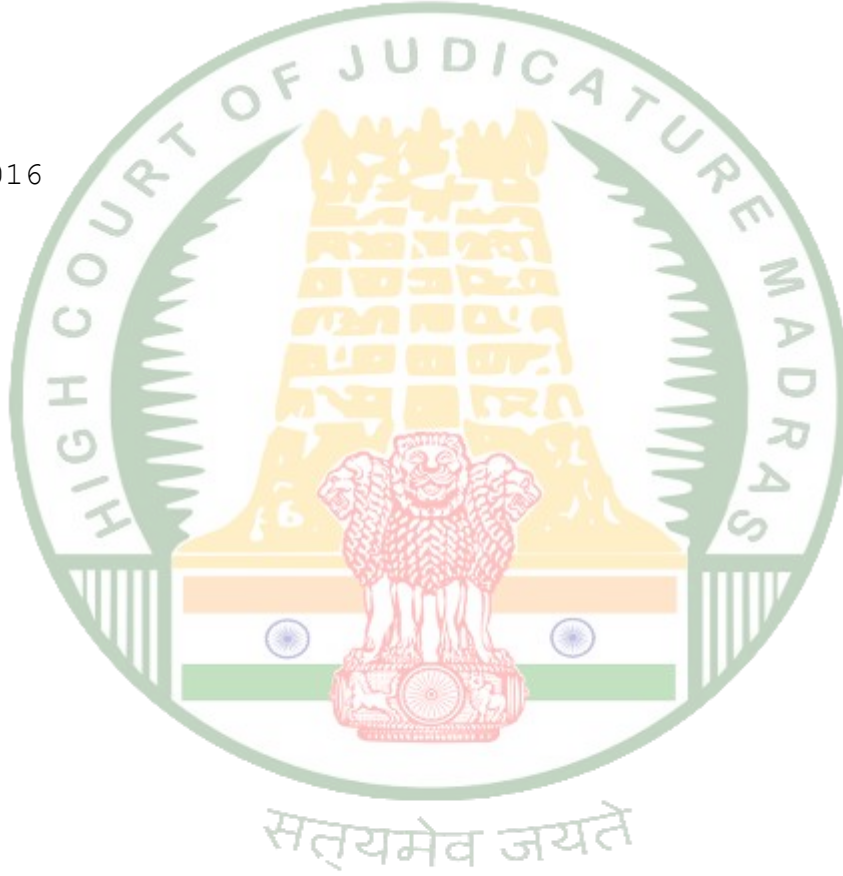
2.The Superintendent of Central Prison,
Puzhal-1, Chennai-600 066.

3.The Public Prosecutor,
Madras High Court, Madras.

+1 cc to M/s.R.Sankara Subbu Advocate sr.923

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