

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 26.04.2016

Coram:

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
and
THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

H.C.P.No.862 of 2016

Kannan @ Ganesh Kumar

..

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 Prisons,
Thalamuthu Natarajan Maaligai,
2nd Floor, Gandhi Irwin Road,
Egmore, Chennai - 8.

3.The Superintendent of Central Prison,
Central Prison,
Puzhal, Chennai - 66.

..... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus directing the respondents herein to grant parole to the petitioner in pursuant to the petitioner's representation dated 24.03.2016 now confined in Central Prison, Puzhal, Chennai for a period of 30 days for the petitioner's surgery to be held on 17.05.2016 with the assistance of petitioner's wife Sindhu Mole, working as Warden, Kottayam, Sub Jail for juvenile.

For Petitioner .. Mr.G.Jeremiah

For Respondents .. Mr.A.N.Thambidurai,
Additional Public Prosecutor

O R D E R

(The order of the Court was made by M.JAICHANDREN.,J)

This Habeas Corpus Petition has been filed, praying that this Court may be pleased, to direct the respondents, to grant parole

to the petitioner, pursuant to the petitioner's representation, dated 24.03.2016, now, confined in Central Prison, Puzhal, Chennai, for a period of 30 days, for the petitioner's surgery to be held, on 17.05.2016, with the assistance of the petitioner's wife, Sindhu Mole, working as Warden, Kottayam, Sub Jail for juvenile.

2.It has been stated that the petitioner/detenu is confined in the Central Prison, Puzhal, Chennai. He has stated that he had suffered, an injury, while in prison. Therefore, he requires proper treatment, in the Tamil Nadu Government Multi-Speciality Hospital, Omanthurar Estate, Chennai. Therefore, he had submitted a representation, dated 24.03.2016, to the respondents herein. He had submitted that it would suffice if, a direction is issued to the respondents concerned.

3.The learned Additional Public Prosecutor appearing on behalf of the respondents had submitted that there is no provision for the grant of parole to the petitioner/detenu, as per a judgment of the Full Bench of this Court. As per the judgment of the Full Bench, the State Government has got no power to grant parole to the detenus. However, he has submitted that the representation of the petitioner, dated 24.03.2016, would be considered by the authority concerned and appropriate orders would be passed, with regard to the treatment to be given to the petitioner.

4.In view of the said submission made by the learned Additional Public Prosecutor appearing on behalf of the respondents, we find no reason to grant the relief, as prayed for by the petitioner. Hence, the Habeas Corpus Petition stands closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

jbm

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 Prisons,
Thalamuthu Natarajan Maaligai,
2nd Floor, Gandhi Irwin Road,
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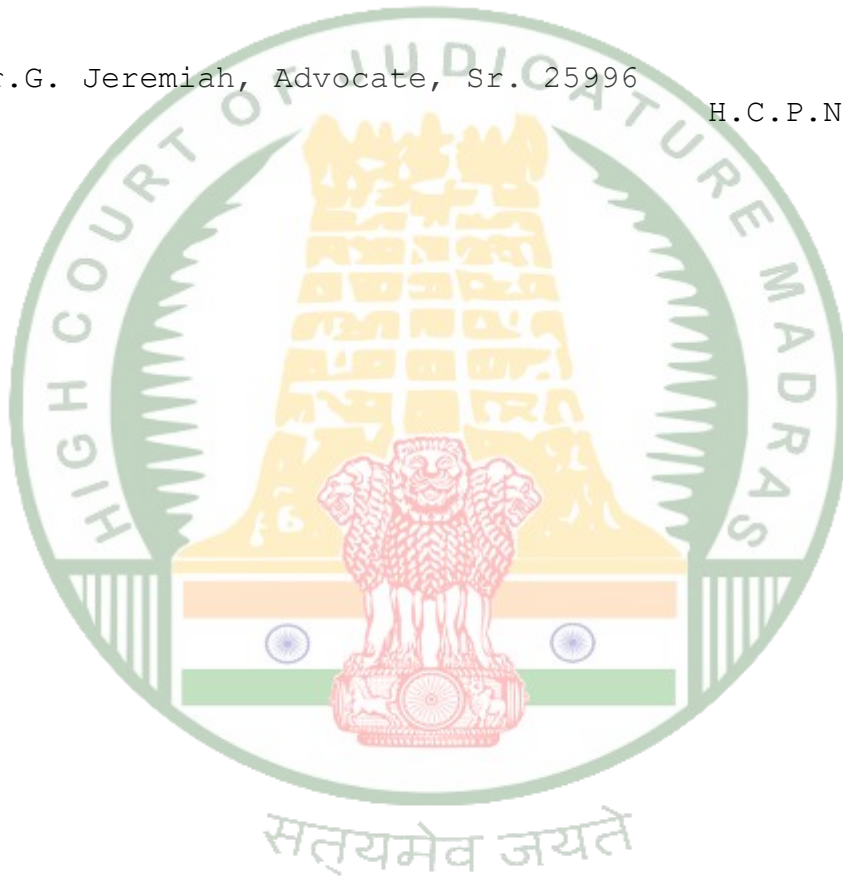
3.The Superintendent of Central Prison,
Central Prison,
Puzhal, Chennai - 66.

4.The Public Prosecutor,
High Court, Madras.

1 cc to Mr.G. Jeremiah, Advocate, Sr. 25996

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KSJ (CO)
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