

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.3757 of 2016

S.Santhu Mohamed

.. Petitioner

vs.

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

2.The Additinal Director General of Prison
C.M.D.A Towers
Egmore,
Chennai 600 008.

3.The Superintendent
Central Prison
Coimbatore.

... Respondents

Criminal Original Petition filed under Section 482
Cr.P.C. directing the respondents to grant leave for 20 days
to the petitioner, S.Santhu Mohamed, S/o A.M.Sheriff, aged
about 30 years, Convict No.10708, detained at Central Prison,
Coimbatore.

For Petitioner : Mr.S.Manoharan

For Respondents : Mr.C.Emalias, APP

O R D E R

This petition has been filed seeking a direction to
the respondents to grant leave for 20 days to the petitioner,
S.Santhu Mohamed, S/o A.M.Sheriff, aged about 30 years,
Convict No.10708, detained at Central Prison, Coimbatore.

2. Heard the learned counsel for the petitioner and
the learned Additional Public Prosecutor appearing for the
State.

3. It is seen that the petitioner is a life convict,
Convict No.10708 undergoing life imprisonment, pursuant to the
conviction and sentence imposed by the Sessions Court in
S.C.No.2/2001, which has also been confirmed by the High Court
and his further appeal to the Supreme Court is pending.

4. Admittedly, the petitioner has been in incarceration since 18 years. The petitioner appears to have made a representation dated 11.01.2016 for attending the ear boring ceremony of his child. After giving the said representation, the petitioner filed the present petition on 10.02.2016. During the pendency of this petition, the respondent considered the representation of the petitioner and by order dated 16.02.2016, granted two days leave to the petitioner, namely, on 20.02.2016 and 21.02.2016, pursuant to which the petitioner went to his house and was with his child. Therefore, technically, the prayer of the petitioner does not survive any further. Hence, this petition is closed with liberty to the petitioner to make a fresh application for grant of leave and the same shall be considered in accordance with law and extant rules.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

gms

To

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

2.The Additinal Director General of Prison
C.M.D.A Towers
Egmore,
Chennai 600 008.

3.The Superintendent
Central Prison
Coimbatore.

4.The Public Prosecutor,
High Court, Madras.

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kra 16.06.2016