

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.O.P.No.6133 of 2017

M.Saravanan

... Petitioner

Vs

The State, represented by its

1. The Secretary to Government of Tamil Nadu,
Department of Home, Fort St.George,
Chennai-600 009.
2. The Additional Director General of Prison,
CMDA Towers, Egmore,
Chennai-600 008.
3. The Superintendent,
Central Prison, Salem.

... Respondents

Petition filed under Section 482 of the Criminal Procedure Code, to issue a direction directing the respondents to grant ordinary leave for 30 days to the detinue, Saravanan, s/o.M.Munusamy, aged about 38 years, Convict No.7309 detained at Central Prison, Salem.

For Petitioner : Mr.S.Manoharan

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the respondents to grant ordinary leave for 30 days to the petitioner / detinue, namely, Saravanan, s/o.M.Munusamy, aged about 38 years, Convict No.7309 detained at Central Prison, Salem.

2.The learned counsel for the petitioner submits that the marriage ceremony of the petitioner's daughter has been fixed on 30.06.2017 and hence seeks a direction to the respondents to grant ordinary leave for 30 days to the petitioner, viz.

Saravanan, s/o.M.Munusamy, aged about 38 years, Convict No.7309 now detained at Central Prison, Salem. He also submits that the petitioner has followed all the prison rules as well as the parole conditions granted earlier.

3.Mr.C.Emalias, learned Additional Public Prosecutor, takes notice for the respondents.

4.Admittedly, the petitioner has followed all the Prison Rules as well as the parole conditions earlier granted. The marriage of his daughter is fixed on 30.06.2017. A copy of the marriage invitation has also been produced by the learned counsel for the petitioner. Considering the facts and circumstances of the case, this Court finds it appropriate to direct the respondents to grant 30 days ordinary leave to the petitioner, viz.Saravanan, s/o.M.Munusamy, aged about 38 years, Convict No.7309 detained at Central Prison, Salem. Accordingly the following order is passed:

(a)The Life Convict, namely, M.Saravanan, who is now confined in the Central Prison, Salem, is granted leave for a period of thirty days, ie., from 10.00 a.m. on 20.06.2017 till 6.00 p.m., on 19.07.2017;

(b)The Superintendent of Prison, Central Prison, Salem, the third respondent herein is hereby directed to pass appropriate orders releasing the life convict, granting him thirty days leave for the aforesaid purpose, as stated above;

(c)The jail authorities are directed to release the life convict, namely, M.Saravanan, on production of this order;

(d)It is made clear that the life convict should be brought back to the Central Prison, Salem, by 6.00 p.m., on 19.07.2017, without fail;

(e)The jail authorities during the period of leave, shall provide proper escort to the life convict in order to ensure the safety and security of the life convict. They shall also impose suitable conditions to that effect; and

(f)The life convict should also abide by the conditions to be imposed by the authorities concerned.

5.The Criminal Original Petition is ordered accordingly.

KM

12.06.2017

For Being Mentioned

This Petition having been posted on this Tuesday, the Twentieth day of Two Thousand and Seventeen, for being mentioned in pursuance of the Order of this Court dated 12.06.2017 and made here in the presence of Mr.S.Manohar, Counsel for the Petitioner and of Mr.C.Emalias, Counsel for the Respondents, and this Court made the following Order:-

By order dated 12.06.2017, this Court granted 30 days ordinary leave to the petitioner, viz. Saravanan, s/o.M.Munusamy, aged about 38 years, Convict No.7309 detained at Central Prison, Salem. While granting leave, this Court ordered that during the period of leave, the jail authorities shall provide proper escort to the life convict in order to ensure the safety and security of the life convict and that they shall also impose suitable conditions to that effect.

2.Today, this Criminal Original Petition has been posted under the caption "for being mentioned". Now, the learned counsel for the petitioner submits that the jail authorities are sending 12 police personnel for complying with the condition of this Court, in respect of providing escort to the petitioner. He further submitted that sending 12 police personnel is not required and it will lead to unnecessary expenditure to the petitioner.

3.Considering the submission made by the learned counsel for the petitioner and also the facts and circumstances of the case, the third respondent is directed to permit the petitioner to bear necessary charges only in respect of 3 police personnel.

KM

20.06.2017

Sd/-

सत्यमेव जयते
Assistant Registrar(CS VI)

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WEB COPY
Sub Assistant Registrar

To

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

2. The Additional Director General of Prison,
CMDA Towers, Egmore,
Chennai-600 008.

3. The Superintendent,
Central Prison, Salem.

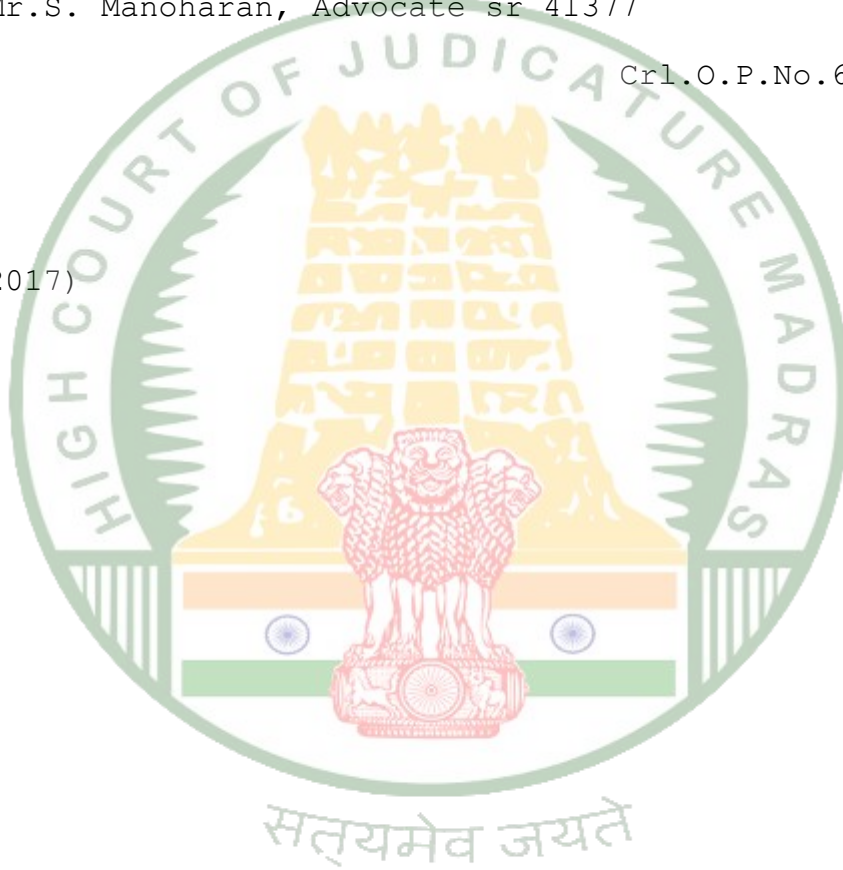
4. The Public Prosecutor,
Madras High Court,
Chennai-600 104.

+1 CC to Mr.S. Manoharan, Advocate sr 41377

Crl.O.P.No.6133 of 2017

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RR(CO)
CA(20.06.2017)



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