

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2017

CORAM

THE HON'BLE MR.JUSTICE S.NAGAMUTHU

and

THE HON'BLE DR.JUSTICE ANITA SUMANTH

H.C.P.No.2018 of 2016

S. Gowthaman

..Petitioner/wife of
the detenu

Vs

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

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

3.The Superintendent,
Central Prison,
Salem.

..Respondents

Prayer: Petition filed under Article 226 of the
Constitution of India, praying to issue a WRIT OF HABEAS CORPUS
or any other writ order or direction in the nature of a writ
directing the respondents to grant leave for 30 days to the
detenu Mr.M.Saravanan, aged 38 years son of M.Munusamy, Convict
No.7309 detained at Central Prison, Salem.

For Petitioner : Mr.R.Narayanan

For Respondents: Mr.V.M.R.Rajentren,
Additional Public Prosecutor

ORDER

[Order of the Court was made by S.NAGAMUTHU.J]

The petitioner's husband Mr.M.Saravanan, male, aged about 38
years, is the life convict, lodged in Central Prison, Salem.
According to the petitioner, she made a request on 29.08.2016,
seeking leave for 30 days for the detenu. That was not

considered is the grievance of the petitioner. Hence, she is before this court, with this Habeas Corpus Petition.

2. In the counter affidavit filed by the Superintendent of Police, Salem, it is stated that in the year 2016 alone, on four spells, the detenu was granted leave for a total period of 15 days. Hence, the petitioner cannot expect to grant leave to the detenu often, so as to avoid him being in prison. Thus, in our considered view, petitioner is not entitled for the relief as sought for in the petition. Accordingly, the Habeas Corpus Petition is dismissed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

jbm/jer
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
C.M.D.A Towers,
Egmore,
Chennai - 600 008.
3. The Superintendent,
Central Prison,
Salem.
4. The Public Prosecutor,
High Court, Madras.

PVS (CO)
EU 6.4.17

H.C.P.No.2018/2016