

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.04.2017

CORAM

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU
and
THE HONOURABLE DR.JUSTICE ANITA SUMANTH

H.C.P No.2679 of 2016

P. Chinnadurai

...Petitioner

Vs

1.The Director General of Police,
Egmore, Chennai - 600 008

2. The Superintendent of Central Prison,
Salem Central Prison,
Salem District

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue an Order, direction or writ in the nature of a Writ of Habeas Corpus directing the respondents to restore "A" Class facilities to the life convict C. Selvam, S/o Chinnadurai C.No.7900, now confined at Central Prison, Salem-7 to secure the ends of justice.

For Petitioner : Mr.R. Sankarasubbu

For Respondents: Mr.V.M.R. Rajentren

Additional Public Prosecutor

ORDER

(Order of the Court was made by S. NAGAMUTHU,J.,)

The petitioner is a life convict. He is lodged in Central Prison, Salem. According to the petitioner, from the day one, he has been enjoying "A" class facility in the prison, as he is qualified for the same. Now, it is submitted by the learned counsel for the petitioner that "A" class facility is withdrawn and the petitioner is treated as an ordinary prisoner. Seeking restoration to "A" class facility, the petitioner has come up with this habeas corpus petition.

2. In the counter filed by the Superintendent of Central Prison, inter-alia, he has stated as follows:

"With regards to the averments contained in para 4,5 and 6 of the affidavit is it submitted that on 21.11.2016 and 24.11.2016 life convict No.7900 Selvam S/o Chinndurai threatened the cooks Tr.Palanimuthu and Tr Mahendiran of this prison. In an unruly behaviour and shouted against them in the presence of other prisoners by violating Tamil Nadu Prison Manual Volume No.II Rule No.302. For that prison offence prison facilities were stopped for three months and his "A" class facilities also temporarily cut for three months by the Superintendent of prisons as per the Tamilnadu Prison Manual Volume II Rule No.302. "A" class facility is temporarily cut not permanently after three months the above punishment restored and again he will provide "A" class facility.:"

3. The above statement is recorded. Since the period of withdrawal of "A" class facility is going to expire shortly and thereafter, the same shall be restored to the petitioner, no further order is required except recording the statement of Superintendent of Central Prison. Therefore, this habeas corpus petition is closed.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

sr

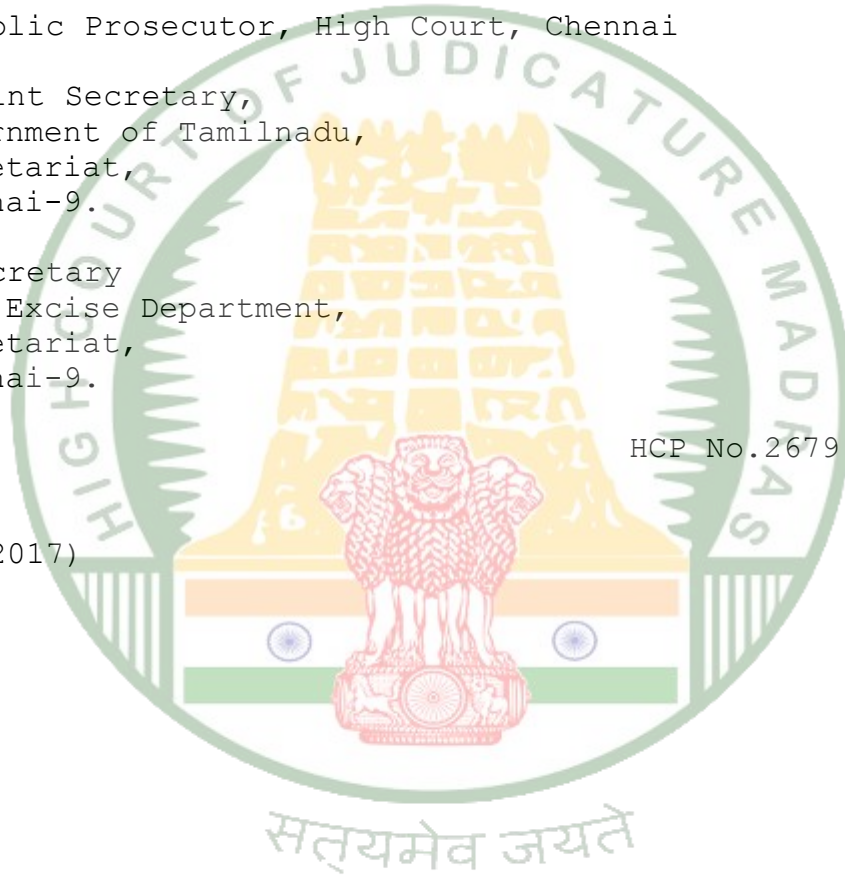
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To

1. The Director General of Police,
Egmore, Chennai - 600 008
2. The Superintendent of Central Prison,
Salem Central Prison,
Salem District
3. The Public Prosecutor, High Court, Chennai
4. The Joint Secretary,
Government of Tamilnadu,
Secretariat,
Chennai-9.
5. The Secretary
Home Excise Department,
Secretariat,
Chennai-9.

HCP No.2679 of 2016

NRN (CO)
RS (15/05/2017)



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