

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 23.07.2018

CORAM

THE HONOURABLE DR. JUSTICE S.VIMALA
AND
THE HONOURABLE MRS. JUSTICE R.HEMALATHA

H.C.P. NO. 1060 of 2018

S.Santhi

.. Petitioner

- Vs -

1. The Home Secretary (Prison)
Home Department,
Secretariat,
Fort St. George,
Chennai.

2. The Superintendent of Police,
Central Prison,
Coimbatore.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of habeas corpus to direct the respondents to grant parole for 10 days to the petitioner's husband M.Saravanan, S/o.Muthu, (Prisoner No.19259) aged 56 years, now confined in the Central Prison, Coimbatore, before this Court and further direct the respondents to consider him immediately for the parole.

For Petitioner : Mr. J.Stalin

For Respondents: Mr. R.Prathap Kumar, APP

ORDER

(DELIVERED BY DR. S.VIMALA, J.)

The present petition has been filed by the wife of the petitioner praying for a direction to the respondents to grant leave of 10 days to the detenu.

2. It is the case of the petitioner that the detenu has been in jail for the past 2 ½ years for the commission of an offence u/s 366 IPC and is undergoing life imprisonment in Central Prison, Coimbatore. It is the submission of the learned counsel for the petitioner that the detenu is suffering from PLHA (Person Living with HIV/AIDS) and hence, he has to take

treatment periodically. Therefore, he sought for leave for 10 days

3. In support of the same, a medical certificate issued by the Central Prison Dispensary, Coimbatore, is produced before this Court.

4. In the light of the medical certificate issued by the Central Prison Dispensary, Coimbatore, this Court is of the considered view that leave can be granted to the detenu. Accordingly, we are inclined to pass the following order :-

i) The respondent is directed to release the life convict, M.Saravanan, S/o.Muthu, Prisoner No.19259, aged 56 years, confined in Central Prison, Coimbatore, on ordinary leave for a period of 6 days commencing from 31.07.2018 for taking treatment;

ii) It is made clear that the said detenu shall be brought back to the Central Prison, Coimbatore, on 05.08.2018;

iii) The respondents are directed to follow the procedures prescribed in the prison manual for ensuring the safety and providing necessary security and escort facilities to the detenu during the period of leave.

5. This habeas corpus petition is allowed with the aforesaid directions.

-s/d-

Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

To

1. The Home Secretary (Prison)
Home Department,
Secretariat,
Fort St. George,
Chennai.

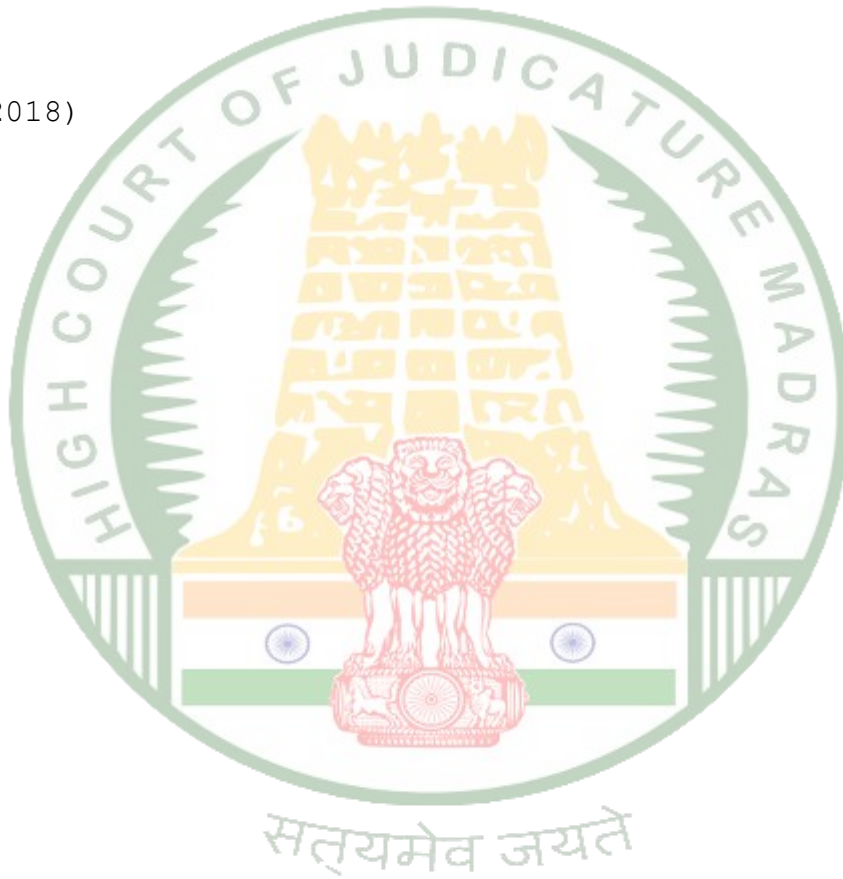
2. The Superintendent of Police,
Central Prison,
Coimbatore.

3. The Public Prosecutor
High Court, Madras 104.

+1 CC to Mr. J.Stalin, Advocate sr 48798.

H.C.P. NO.1060 of 2018

SP (27/07/2018)



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