

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2018

CORAM:

THE HON'BLE Dr. JUSTICE S.VIMALA
AND
THE HON'BLE MRS. JUSTICE S.RAMATHILAGAM

Habeas Corpus Petition No.1403 of 2018

K.Ashwini (aged 23 years),
W/o. Karthik

... Petitioner /
Wife of the detainee

versus

1. The State of Tamil Nadu, Rep. by the Home Secretary,
Fort St. George, Chennai 600 009
2. The State of Tamil Nadu, Rep. by the Secretary,
Prohibition and Excise Department,
Fort St. George, Chennai 600 009
3. The Additional Director General of Police (Prisons),
CMDA Tower-2, Gandhi Irwin Road, Egmore, Chennai 600 008
4. The Superintendent of Prisons,
Central Prison, Puzhal No.I, Chennai

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for a direction to direct respondents herein to grant parole for three days, from 19.07.2018 to 21.07.2018 to the petitioner's husband, detainee, Karthik, aged about 26 years.

For Petitioner : Mr. P.Chandrasekar
For Respondents : Mr. R.Prathap Kumar, APP.

O R D E R

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

This Habeas Corpus Petition has been filed by the petitioner / wife of the detainee seeking direction against the respondents

herein to grant parole for three days, from 19.07.2018 to 21.07.2018 to the petitioner's husband, detainee, Karthik, aged about 26 years.

2. The petitioner claims parole on the ground that the petitioner's son, Arjun, died on 03.07.2018 and the detainee came on one day parole for the funeral of the child and thereafter, the 16th day ceremony is to take place on 19.07.2018 at the residence of the petitioner. It is further stated by the petitioner that, as per the petitioner's rites and customs, the person, who performed the last rites of the child alone, is to perform the ceremonies on the 16th day.

3. We have heard the learned Additional Public Prosecutor on the said submissions.

4. Considering the submissions made by the learned counsel appearing for both sides and considering the fact that the detainee is to participate in the 16th day ceremony of the detainee's son, he is granted parole for three days commencing from 19.07.2018, 05.00 pm and the detainee shall surrender back before the respondents on 21.07.2018, 05.00 pm.

5. Accordingly, this petition is disposed of. The petitioner's husband, detainee, Karthik, aged about 26 years, now confined at Central Prison-I, Puzhal, Chennai, is permitted to go on parole for a period of said three days. Till such time, the sentence remains suspended and the respondents are directed to release the detainee, on the said dates and timings, subject to the condition that the respondents shall follow all the usual procedures and safeguarding measures in accordance with the Prison Manual.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

1. The Home Secretary, State of Tamil Nadu,
Fort St. George, Chennai 600 009
2. The Secretary, State of Tamil Nadu,
Prohibition and Excise Department,
Fort St. George, Chennai 600 009

3. The Additional Director General of Police (Prisons),
CMDA Tower-2, Gandhi Irwin Road,
Egmore, Chennai 600 008

4. The Superintendent of Prisons,
Central Prison, Puzhal No.I, Chennai

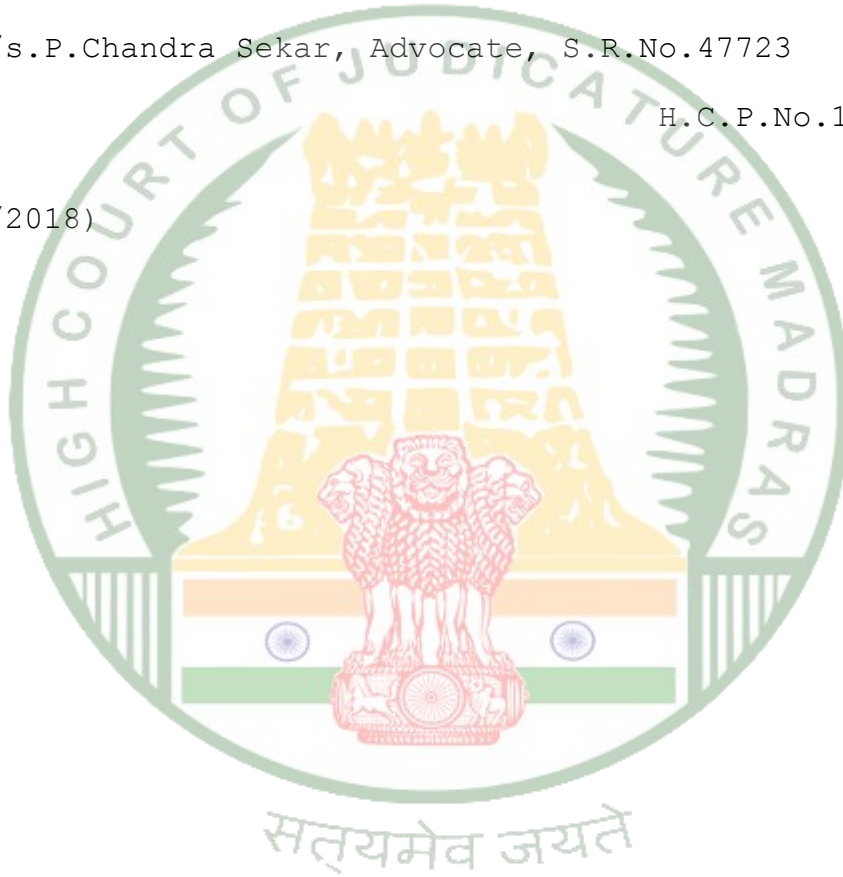
5.The Judge,
V Additional Sessions Judge,
Chennai.

6. The Public Prosecutor, High Court, Madras.

+1cc to M/s.P.Chandra Sekar, Advocate, S.R.No.47723

H.C.P.No.1403 of 2018

NRL (CO)
GSP (19/07/2018)



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