

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 10.09.2018
CORAM
THE HONOURABLE MR.JUSTICE C.T.SELVAM
and
THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

H.C.P.No.1865 of 2018
A.Asina Banu
W/o.Javeed Basha ... Petitioner
vs.
State by
The Superintendent of Prison,
Central Prison-1,
Puzhal,
Chennai - 600066. ... Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus directing the respondent to grant three days emergency leave to the petitioner's husband Mr.Javeed Basha, S/o.Saleem Basha, Convict Prisoner, now confined at Central Prison-1, Puzhal, Chennai.

For Petitioner : Mr.P.Pugalenth
For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

[Order of the Court was made by C.T.SELVAM, J]

Petitioner has filed this petition seeking a direction to respondent to grant three days emergency leave to petitioner's husband Mr.Javeed Basha, S/o.Saleem Basha, Convict Prisoner, now confined at Central Prison-1, Puzhal, Chennai.

2. Learned counsel for petitioner submits that petitioner's father-in-law is suffering from heart ailment and he requires immediate treatment. Learned counsel further submits that the present petition has been filed seeking leave to petitioner's husband, Convict Prisoner, so as to make arrangements for his father's treatment.

3. Learned Additional Public Prosecutor submits that petitioner's husband was convicted for offences u/s.8(c) r/w 29, 8(c) r/w 22(c) and 8(c) r/w 28 of NDPS Act and sentenced to 10 years R.I. under judgment of Principal Special Court under EC & NDPS Act, Chennai, in C.C.No.45 of 2015 dated 02.02.2018. Learned Additional Public Prosecutor submits that the petitioner can very well file an appeal and seek suspension of sentence.

Finding no merits, the Habeas Corpus Petition is dismissed.

[C.T.S., J] [M.N.K., J]

10.09.2018

Index:yes/no

Internet:yes

gm

To

1.The Superintendent of Prison,
Central Prison-1,
Puzhal, Chennai - 600066.

2.The Public Prosecutor,
High Court, Madras.

C.T.SELVAM, J
AND
M.NIRMAL KUMAR, J

gm

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