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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.08.2018

CORAM

THE HONOURABLE Mr. JUSTICE C.T.SELVAM

AND

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

HCP No.1636 of 2018

S.Rajan

.. Petitioner

Versus

1.The State of Tamil Nadu,
The Inspector General of Prisons,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.

2.The Superintendent of Prison,
Vellore Central Prison,
Vellore.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of Habeas Corpus, directing the 1st respondent to grant parole for the petitioner for 15 days to the detenu S.Rajan convict No. 2643 , S/o.Shanmugam, aged 34 years detained at Vellore Central Prison and pass such further or other reliefs as this Hon'ble Court.

For Petitioner : Mr.I.Periyasamy

For Respondents: Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

ORDER

(Order of the Court was made by C.T.SELVAM, J.)

Petitioner, who is a convict prisoner (Convict No.2643) at Central Prison, Vellore, has filed the present petition seeking LEAVE for 15 days towards undergoing medical treatment.



2. The detenu, who has suffered Right Knee Ligament injury, has required surgery towards fixing of a steel rod, has been advised to undergo a periodical check-up and there towards seeks parole.

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3. We have heard learned counsel for petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor for respondents as also perused the counter filed by second respondent.

4. Learned Additional Public Prosecutor submits that the prisoner was temporarily transferred to Central Prison, Puzhal-I, Chennai.

5. In the facts and circumstance, we consider it appropriate to grant LEAVE for a period of 15 days.

6. Accordingly, we grant emergency LEAVE for a period of fifteen (15) days commencing from 28.08.2018 (Tuesday) at 10.00.a.m. till 5.00 p.m. On 11.09.2018 to the petitioner/detenu viz., S.Rajan, life convict, who is now confined in the Central Prison, Puzhal-I, Chennai.

7. The Superintendent of Central Prison, Puzhal-I, Chennai, is hereby directed to release the detenu, viz., Mr.S.Rajan S/o Shanmugam, aged about 34 years, on production of this order. It is made clear that the detenu shall report and surrender before the Superintendent, Central Prison, Puzhal-I, Chennai, by 5.00.p.m on 11.09.2018 without fail. The Jail Authorities during the period of LEAVE, shall provide proper escort to the detenu in order to ensure the safety and security of the detenu. They shall also impose suitable conditions to that effect. The detenu should also abide by the conditions to be imposed by the authorities concerned.

8. Registry is directed to forward a copy of this order to Superintendent, Central Prison, Puzhal-I, Chennai, by Fax.

9. With the above direction, this Habeas Corpus Petition shall stand closed. Post the Habeas Corpus Petition on 12.09.2018 for Reporting Compliance.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

kmi



TO

1.The Inspector General of Prisons,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.

2.The Superintendent of Prison,
Vellore Central Prison,
Vellore.

3.The Superintendent,
Central Prison, Puzhal I, Chennai.

+1cc to Mr.I.PERIYASAMY, Advocate, S.R.No. 57837

HCP.No.1636 of 2018

TR(27/08/2018)