

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 16.07.2018

CORAM

THE HONOURABLE DR. JUSTICE S.VIMALA
AND
THE HONOURABLE MRS. JUSTICE S.RAMATHILAGAM

H.C.P. NO. 568 OF 2018

A.Rizana Banu

.. Petitioner

- Vs -

1. The State rep. By its
The Secretary to Government of Tamilnadu,
Department of Home
Fort St. George, Chennai - 600 009.
2. The Additional Director General of Prison
C.M.D.A Towers, Egmore
Chennai 600 008.
3. The Superintendent
Central Prison, Kovai.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of habeas corpus directing the respondents to grant leave for 30 days to the detenu, Amanullah, S/o. Khaja Hussain, Convict No.6580, detained at Central Prison, Kovai.

For Petitioner : Mr. Dr. S.Manoharan

For Respondents: Mr. R.Prathap Kumar, APP

ORDER

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

This Habeas Corpus Petition has been filed by the wife of the detenu seeking direction to the respondents to grant leave for 30 days to her husband, Amanullah, S/o. Khaja Hussain, Convict No.6580, detained at Central Prison, Kovai.

2. The petitioner/wife of the detenu gave a representation dated 07.03.2018 to the respondent seeking grant of leave for 30 days to her husband stating that as her elder son Mohammed Faahim is now aged 5 years and he has to be admitted in the school and therefore, the presence of the detenu is necessary.

3. It is submitted by the learned Additional Public Prosecutor that the Government has considered the request of the petitioner and granted leave to the detenu for 10 days, including staying at night.

4. Under such circumstances, since leave of 10 days has already been granted by the respondents, this Court is of the opinion that no further orders are necessary in this petition. However, liberty is given to the detenu to press his claim for further leave, if he is not able to complete the work.

5. With the above observation, habeas corpus petition is closed.

-s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

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To

1. The Secretary to Government of T.N.
Department of Home
Fort St. George, Chennai - 9.

2. The Addl. Director General of Prison
CMDA Towers, Egmore
Chennai 600 008.

3. The Superintendent
Central Prison, Kovai.

+1 CC to Mr. Dr. S. Manoharan, Advocate sr 46447.

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SSI (CO)
GSP (10/08/2018)