

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2018

CORAM:

THE HONOURABLE Mr.JUSTICE C.T.SELVAM
and
THE HONOURABLE Mrs.JUSTICE S.RAMATHILAGAM

H.C.P.No.2698 of 2018

A.Shahees
S/o.Anwar

... Petitioner

-Vs-

1. The State represented by its
The Secretary to Government of Tamil Nadu
Department of Home,
Fort St. George, Chennai - 600 009.
2. The Director General of Prison,
C.M.D.A.Towers,
Egmore, Chennai-600 008.
3. The Superintendent,
Central Prison, Puzhal-1,
Chennai.

.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents to grant leave for 20 days, to the detenu M.M.Abdul Hakkim, S/o.Mohammed Malangu, aged 42 years, Convict No.4660 detained at Central Prison, Puzhal-I, Chennai.

For Petitioner : Mr.S.Lakshmi

For Respondents : Mr.R.Prathap Kumar
Additional Public Prosecutor

ORDER

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

This Petition has been filed to direct the respondents to grant leave for 20 days to the detenu M.M.Abdul Hakkim, S/o.Mohammed Malangu, aged 42 years, Convict No.4660 detained at Central Prison, Puzhal-I, Chennai.

2. We have heard learned counsel for petitioner, Mr.R.Prathap Kumar, learned Additional Public Prosecutor for respondents as also perused the affidavits filed by (i) P.Dharmaraj, Jailor of Central Prison, Puzhal-1, Chennai and (ii) T.Thamizh Selvan, Additional Superintendent of Central Prison, Puzhal-1, Chennai.

3. Today, (i) Mr.Somasundaram, Deputy Commissioner of Police, AR-2 (ii) Jayagaran, Assistant Commissioner of Police, AR-2 (iii) G.Suresh, Inspector of Police, C.Company, AR-1, (iv) M.Senthil Kumar, Superintendent of Prison's, Central Prison-1, Puzhal, Chennai, (v) T.Tamil Selvan, Additional Superintendent of Prisons, Central Prison-1, Puzhal, Chennai and (vi) P.Dharmaraj, Jailor Central Prison-1, Puzhal, Chennai are present before this Court. From the submission of learned Additional Public Prosecutor and reading of affidavits filed before us, we note that though there has been some misobedience of the order of this Court dated 26.11.2018, the same is neither wilfull nor wanton.

4. Accepting the affidavits of apology, this Habeas Corpus Petition shall stand closed.

Sd/-
Deputy Registrar

//True Copy//

kmi

Sub Assistant Registrar

To

1. The Secretary to Government of Tamil Nadu
Department of Home,
Fort St. George, Chennai - 600 009.
2. The Director General of Prison,
C.M.D.A.Towers,
Egmore, Chennai-600 008.
3. The Superintendent,
Central Prison, Puzhal-1,
Chennai.
4. The Public Prosecutor,
High Court, Madras.

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ssm(20/12/18)