



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice RMT.TEEKAA RAMAN

H.C.P.No.224 of 2019

Suriya

.. Petitioner/Son of
the detenue

Vs

1.State of Tamil Nadu rep. by its
Secretary, Home Department,
Fort St. George, Chennai - 9.

2.The Additional Director General
of Prisons/The Inspector
General of Prisons,
D.No.1, CMDA Tower II,
Gandhi Erwin Road,
Egmore, Chennai.

3.The Superintendent of Prison,
Central Prison, Trichy.

4.The Superintendent of Prison,
Central Prison, Salem.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus, to direct the third respondent to transfer the petitioner's father namely Selvakumar, S/o.Chinnannan, Life Convict Prisoner C.T.No.14559 from Central Prison, Trichy to Central Prison, Salem and set him at liberty forthwith.

For Petitioner : Mr.S.Mohamed Ansar

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



ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

Petitioner is the son of the convict by name Selvakumar. The present habeas corpus petition has been filed, seeking a direction to the third respondent to transfer the convict from Central Prison, Trichy to Central Prison, Salem.

2.Learned counsel appearing for the petitioner submitted that the convict has been undergoing incarceration at Central Prison, Trichy for 14 years. The place of residence of the petitioner is at Salem and therefore the request may be considered.

3.Placing reliance upon the counter affidavit filed by the third respondent, the learned Additional Public Prosecutor submitted that appropriate recommendation has already been made by the said authority to the second respondent. Therefore, it is for the second respondent to take a call.

4.From the counter affidavit filed by the third respondent, it is seen that the representations of the petitioner and the convict were received on 14.01.2019. The report of the Probation Officer was also received on 14.10.2019. Thereafter, a proposal was sent to the second respondent vide Letter No.10360/R5/2019 dated 06.11.2019 through the Deputy Inspector General of Prisons, Trichy Range.

5.In such view of the matter, we call upon the second respondent to pass appropriate orders on the aforesaid proceedings dated 06.11.2019 within a period of four weeks from the date of receipt of a copy of this order.

6.With the above direction, the habeas corpus petition stands disposed of.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mmi/ssm
To

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



2.The Additional Director General
of Prisons/The Inspector
General of Prisons,
D.No.1, CMDA Tower II,
Gandhi Erwin Road,
Egmore, Chennai.

3.The Superintendent of Prison,
Central Prison, Trichy.

4.The Superintendent of Prison,
Central Prison, Salem.

5.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.S.Mohamed Ansar , Advocate SR.No. 96125

H.C.P.No. 224 of 2019

A.SK(09/01/2020)