

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2019

CORAM:

THE HONOURABLE Mr.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE Mr.JUSTICE M.NIRMAL KUMAR

H.C.P.No.437 of 2019

Kalaiyarasi

.. Petitioner

Vs.

1. The Secretary to Government
Prison Department
Fort St.George
Chennai - 600 009.

2. The Additional Director General of Police (Prisons)
Prison Department
No.1, Gandhi Irwin Salai
Egmore
Chennai - 600 008.

3. The Superintendent of Prison
Central Prison
Cuddalore.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, directing the respondents to grant one month parole to the petitioner's father namely Mr.Erusappan, life convict (Life Convict No.13533), now confined under the Superintendent of Prison, Central Prison, Cuddalore, the third respondent herein for the purpose of solemnize his daughter's marriage on 22.03.2019, pursuant to the petitioner's representation to the respondents dated 22.02.2019.

For Petitioner ..Mr.K.Sudhakar

For Respondents ..Mr.C.Iyyapparaj
Additional Public Prosecutor

ORDER

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

The petitioner is the daughter of the detenu namely Erusappan, who is a life convict bearing No.13533, and at present he is lodged at Central Prison, Cuddalore. The petitioner would state that her marriage with one Mr.J.J.D.Karthik was solemnised on 22.03.2019 between 6.00 a.m. to 7.30 a.m. at Sree Vaaleeswaran Sannathi and the marriage reception will be performed on the same day between 6.30 pm to 8.30 pm. at Sree Jayasakthi Thirumana Mandapam, Maharajapuram, Villupuram, and for sentimental and other reasons, prays for her father's presence, to bless the married couple and in this regard, a representation dated 22.02.2019 has been submitted to the third respondent, seeking parole, and since her representation is not considered by the third respondent-Police, came forward to file this Habeas Corpus Petition.

2. Mr.C.Iyyaparaj, learned Additional Public Prosecutor, on instructions would submit, true verification has been done by the Probation Officer to find out the veracity of the marriage of the detenu's daughter and in this regard, the Probation Officer has sent a letter dated 07.03.2019 to the Superintendent of Prison, Central Prison, Cuddalore, and it would state among other things that pursuant to the representation given by the petitioner praying for parole of her father to attend her marriage rituals at Villupuram, thorough verification has been done by him, and it is true, the marriage is solemnised between the petitioner, the daughter of the detenu and one Mr.J.J.D.Karthik on 22.03.2019, and the said communication is produced before the Court.

3. In the light of the above facts and circumstances, parole is granted to the detenu, Erusappan (Life Convict No.13533), who is now confined in Central Prison, Cuddalore, from 21.03.2019 at 11.00 a.m., and he shall return to the Central Prison, Cuddalore on or before 4.00 p.m. on 26.03.2019. The respondents are also directed to provide sufficient escort for the safety and well being of the detenu, during his parole.

4. This Habeas Corpus Petition is disposed of accordingly. Call on 28.03.2019, for compliance.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ds

To:

1. The Secretary to Government
Prison Department
Fort St.George
Chennai - 600 009.
2. The Additional Director General of Police (Prisons)
Prison Department
No.1, Gandhi Irwin Salai
Egmore
Chennai - 600 008.
3. The Superintendent of Prison
Central Prison
Cuddlaore.
4. The Public Prosecutor
High Court, Madras.

+2 ccs to Mr.K.Sudhakar, Advocate, S.R.No.25854, 25441

H.C.P.No.437 of 2019

RS (CO)
SSM(20/03/2019).