

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2019

Coram

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

H.C.P. No. 534 of 2019

Mithelesh ... Petitioner/Daughter of the detenue

-vs-

- 1.The State of Tamil Nadu
rep. by its Secretary,
Department of Home,
Fort St. George, Chennai - 9.
- 2.The Superintendent of Central Prison,
Central Prison, Vellore,
Vellore District. Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents to produce the detenu Jagadesh, son of Ranjit Singh, aged 60 years, before this Court, now confined at Central Prison, Vellore and set him at liberty.

For Petitioner : Mr.R.Sankarasubbu

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

WEB COPY

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner, who is the daughter of the convict, has filed this habeas corpus petition, seeking a direction to the respondents to produce him and setting him at liberty.

2.The petitioner made a representation on behalf of the convict on 06.03.2019 to the first respondent seeking pre-mature release by placing reliance upon the Government Order passed in G.O.Ms.No.64 Home (Prison IV) Department dated 01.02.2018 as amended in G.O.Ms.No.302 Home (Prison IV) Department dated 03.05.2018. The incidental grievance of the petitioner is with respect to the food that is being provided to the convict. The convict being a North Indian sought for the food which he is used to.

3.The learned Additional Public Prosecutor submitted that the request of the convict for different food has been considered and he is being given the aforesaid food as of now. The said submission made by the learned Additional Public Prosecutor stands recorded. Accordingly, the second respondent is directed to continue the North Indian dish to the convict. We may note that the already a direction has been issued in this regard in CrI.O.P.No.8017 of 2017.

4.On the larger issue, we are not inclined to pass any positive order. Admittedly, the request of the convict by the representation dated 06.03.2019 made by the petitioner on his behalf is pending consideration with the first respondent. Thus, without going into the merits, we call upon the first respondent to pass appropriate orders on the same within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above direction, the Habeas Corpus Petition stands disposed of.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

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

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

3.The Public Prosecutor,
High Court, Madras.
A.SK(13/12/2019)

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