

Crl.M.P.No.5070 of 2019
and H.C.P.No.63 of 2019

M.SATHYANARAYANAN, J.,
and
M.NIRMAL KUMAR, J.,

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

The petitioner is the brother of the detenu and on behalf of his brother/detenu, challenging the impugned order of detention dated 08.12.2018 passed by the 2nd respondent, branding the detenu as "Goonda" and detained under Sections 147, 148, 341, 294(b), 336, 397, 506(ii) IPC (ground case) has filed the Habeas Corpus Petition and pending disposal of the same, has filed the present Miscellaneous Petition stating among other things that the father of the detenu viz., Kathirvel, met with a road accident and was admitted in the hospital and succumbed to injuries in the Hospital on 08.04.2019 and since the presence of the detenu is very much essential for performance of religious rites as per the customs and prays for temporary release of the detenu.

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2. Heard the submission of Mr.G.Mohana Krishnan, learned counsel appearing for the petitioner and Mr.C.Iyyapparaj, learned Additional Public Prosecutor appearing for the respondents and he would submit that the father of the detenu passed away due to road accident.

M.SATHYANARAYANAN, J.,
and
M.NIRMAL KUMAR, J.,

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3. the light of the above facts and circumstances, there cannot be any impediment to order temporary release and the detenu shall be temporarily released forthwith by today and he shall surrender before the Superintendent of Prisons, Puzhal-II, Chennai on 11.04.2019 at 04.00 p.m. The respondents are at liberty to provide police escort to the detenu.

4. The Criminal Miscellaneous Petition is disposed of with the above observation.

(M.S.N,J.) (M.N.K,J.)
09.04.2019

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