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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.06.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice M.NIRMAL KUMAR

H.C.P.No.829 of 2019

Janagarajan

.. Petitioner

Vs

1.The Secretary,
Department of Prisons,
Fort St. George, Rajaji Road,
Chennai-600 009.

2.The Additional Deputy General of Prisons,
Department of Prisons,
Whannels Road, Egmore,
Chennai - 8.

3.The Superintendent of Prisons,
The Central Prison,
Puzhal, Chennai.

4.State Represented by
The Inspector of Police,
Central Bureau of Investigation,
CBI/EOW/Chennai.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus directing the respondents to consider the petitioner's representation dated 13.04.2019 and direct the third respondent herein to give permission to the petitioner for one day Eye Check up and further three days permission for performing Laser Surgery at "Sankara Nethralaya Eye Hospital", Nungambakkam, Chennai.

For Petitioner .. Mr.S.Silambu Selvan

For Respondents.. Mr.C.Iyyappa Raj,
Addl. Public Prosecutor



ORDER

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

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The petitioner is the detenu aged about 72 years. He is suffering from eye problem. Seeking treatment, the petitioner made representation on 13.04.2019 and thereafter, approached this Court.

2. The learned Additional Public Prosecutor, on instruction, submits that the petitioner is suffering from serious eye problem.

3. In such view of the matter, we are inclined to grant five days leave i.e., from 07.06.2019 at 09.00a.m., to 11.06.2019 at 5.00p.m. for the petitioner to undergo eye surgery. The third respondent viz., the Superintendent of Prisons, Central Prison, Puzhal, Chennai, is directed to release the petitioner from Central Prison, Puzhal, Chennai on 07.06.2019 at 09.00a.m. after following the usual procedure and other safeguarding measures in accordance with the Prison Manual and he shall be taken back to the Central Prison, Puzhal, Chennai, before 5.00p.m., on 11.06.2019. The second respondent shall provide necessary escort to the detenu from the Central Prison, Puzhal, Chennai, from the time he leaves the Prison and till such time he is taken back to the Central Prison, Puzhal, Chennai, on the said date and time as ordered by this Court.

4. Accordingly, the Habeas Corpus Petition stands disposed of. For reporting compliance, post on 14.06.2019.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

raa

To

1.The Secretary,
Department of Prisons,
Fort St. George, Rajaji Road,
Chennai-600 009.



2.The Additional Deputy General of Prisons,
Department of Prisons,
Whannels Road, Egmore,
Chennai - 8.

3.The Superintendent of Prisons,
The Central Prison,
Puzhal, Chennai.

4.The Inspector of Police,
State Represented by
Central Bureau of Investigation,
CBI/EOW/Chennai.

+1 cc to Mr.S.Silambu Selvan, Advocate Sr.No.45065 (11.06.2019)

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CSL/07.06.2019