

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.09.2019

CORAM

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

AND

THE HONOURABLE MR. JUSTICE R. PONGIAPPAN

H.C.P. No. 1498 of 2019

G. Lawrence ..Petitioner/Wife of the detenu

Vs.

1. The State of Tamil Nadu,
rep. by its
Deputy Inspector General of
Police,
Egmore, Chennai - 600 008.
2. The Superintendent of
Central Prison,
Puzhal -1,
Chennai - 600 066. ..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Habeas Corpus directing the respondents to grant one month parole to the detenu Gabriel, S/o. Devasagayam, aged 55 years, C.T. No. 4903 now confined at Central Prison 1, Puzhal, Chennai - 600 066.

For Petitioner :: Mr.R. Sankarasubbu

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

O R D E R

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

The petitioner is the wife of the detenu. In pursuant to the representation made, the present Habeas Corpus

Petition has been filed seeking grant of ordinary leave to the detenu for providing financial support for further studies of his son.

2. The learned Additional Public Prosecutor for the State would submit that this Court was inclined to exercise its jurisdiction on the earlier occasion by directing the respondents to grant ordinary leave and while complying with the same, the detenu was involved in one more case in respect of which a case has been registered. Subsequently, the Habeas Corpus Petition filed was permitted to be withdrawn. Thus, the present Habeas Corpus Petition will have to be dismissed.

3. By way of reply, the learned counsel for the petitioner placed reliance upon the affidavit sworn to by the defacto complainant and submitted that based upon the same, the petitioner's request may be considered.

4. We are not inclined to pass any positive order. Similarly, we are not inclined to consider the affidavit said to have been filed by the de facto complainant. Suffice to direct the 1st respondent to consider the representation made by the petitioner on behalf of the detenu within a period of two weeks from the date of receipt of a copy of this order.

5. The Habeas Corpus Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

nv
To

1. The Deputy Inspector General of Police,
Egmore, Chennai - 600 008.

2. The Superintendent of
Central Prison, Puzhal -1,
Chennai - 600 066.

3. The Public Prosecutor, High Court, Madras.

+1cc to Mr. R. Sankara subbu, Advocate SR.No. 76631

H.C.P. No. 1498 of 2019

A.SK(15/10/2019)