

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2019

Coram

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

H.C.P. No. 1482 of 2019

Samma

... Petitioner

-vs-

The State rep. by its

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

2.The Additional Director General of
Prison, C.M.D.A. Towers, Egmore,
Chennai - 8.

3.The Superintendent,
Central Prison, Kovai.

.... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the respondents to grant leave for 30 days to the detenu Aslam, S/o.Jainulaputhin, aged about 44 years, Convict No.18819 detained at Central Prison, Kovai.

For Petitioner : Dr.S.Manoharan

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

WEB COPY

ORDER

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

Seeking a direction to the respondents to grant 30 days leave, the present habeas corpus petition has been filed by the wife of the convict.

2. The learned counsel appearing for the petitioner submits that the convict came out on one day parole and married the petitioner and they have no issues. Learned counsel further submits that for taking infertility treatment, the convict needs leave.

3. The aforesaid fact is not denied or disputed by the learned Additional Public Prosecutor.

4. Considering the above, we are inclined to grant ten days leave to the convict. Accordingly, the Habeas Corpus Petition stands disposed of and the convict shall be released at 10.00 a.m. on 30.07.2019 and he shall return back to prison at 05.00 p.m. on 08.08.2019 subject to the usual conditions that can be imposed.

Post the matter on 09.08.2019 for reporting compliance.

Sd/-

Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

To

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

2.The Additional Director General of
Prison, C.M.D.A. Towers, Egmore,
Chennai - 8.

3.The Superintendent,
Central Prison, Kovai.

4.The Public Prosecutor,
High Court, Madras.

+1cc to Dr.S.Manoharan, Advocate sr.64054

H.C.P.No.1482 of 2019

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nr 29/07/2019