

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02..08..2019

Coram

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

H.C.P.No.1568 of 2019

R.Muthuraman

.. Petitioner

Vs

1. The State of Tamil Nadu
Represented by
The Additional Chief Secretary to Government
and Secretary to Government,
Department of Home,
Government of Tamil Nadu,
Fort St.George,
Chennai -9.
 2. The Additional Director General of Police,
and Inspector General of Prisons,
Whannels Road,
Egmore, Chennai – 600 008.
 3. The Deputy Inspector General of Prisons,
Chennai Range, Whannels Road,
Chennai – 600 008.
 4. The Superintendent of Prisons,
Central Prison-I, Puzhal,
Chennai – 600 066.
- .. Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus, to direct the respondents to grant leave for 30 days to the detenu Mr.R.Muthuraman, Life Convict No.1434, S/o. Mr.P.Ramalingam, aged about 46 years, presently detained at Central Prison-I, Puzhal, Chennai – 600 066 and release him for 30 days leave to take care of his ailing mother R.Amsavalli without any police escort.

For Petitioner .. Mr.S.Saravanan

For Respondents .. Mr.C.Iyyapparaj,
APP for RR1 to 4

ORDER

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

The petitioner is the life convict. After having undergone more than 25 years of incarceration, he has come up with this petition seeking ordinary leave for 30 days to make arrangements for medical treatment of his mother.

2. Heard both sides.

3. Inasmuch as the cause for which the leave is sought for is not in dispute coupled with the fact that the petitioner has been under incarceration for more than 25 years, we are inclined to direct the respondents to grant leave to the petitioner/convict

for 30 days commencing from 20.08.2019 subject to the usual conditions that can be imposed by the respondents. The petitioner shall be released from the prison at 10.00 a.m. on 20.08.2019 and he shall return back to the prison at or before 05.00 p.m. on 20.09.2019. The respondents shall provide adequate escorts, if requires, to the convict from the Central Prison from the time he leaves the prison and till such time he is taken back to the Central Prison, on the said date and time as ordered by this court. We make it clear that the day on which the convict is released from the prison and the day on which he is readmitted will have to be excluded from the leave. This Habeas Corpus Petition is disposed of accordingly with the above directions.

The Registry is directed to list this matter on 25.09.2019 for reporting compliance.

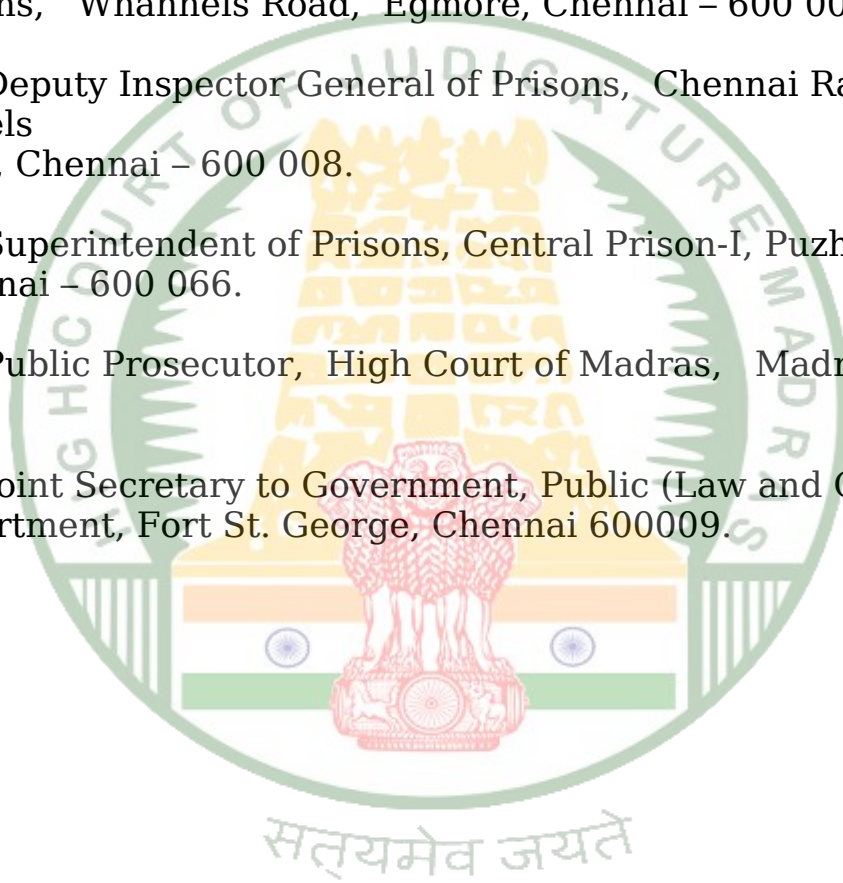
(M.M.S.J.,) (M.N.K.J.,)
02..08..2019

Internet:Yes/No
Index:Yes/No
kmk/msrm

WEB COPY

To

1. The Additional Chief Secretary to Government and Secretary to Government, Department of Home, Government of Tamil Nadu, Fort St.George, Chennai -9.
2. The Additional Director General of Police, and Inspector General of Prisons, Whannels Road, Egmore, Chennai – 600 008.
3. The Deputy Inspector General of Prisons, Chennai Range, Whannels Road, Chennai – 600 008.
4. The Superintendent of Prisons, Central Prison-I, Puzhal, Chennai – 600 066.
5. The Public Prosecutor, High Court of Madras, Madras.
6. The Joint Secretary to Government, Public (Law and Order) Department, Fort St. George, Chennai 600009.



WEB COPY

**M.M.SUNDRESH, J.
and
M.NIRMAL KUMAR, J.**

kmk



H.C.P.No.1568 of 2019

WEB COPY

02..08..2019