

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07..08..2019

CORAM

The Honourable Mr Justice M.M.SUNDRESH
and
The Honourable Mr Justice M.NIRMAL KUMAR

Habeas Corpus Petition No.1615 of 2019

Badhrunisa Begum

... Petitioner

-Versus-

The State Rep. by its

1. The Secretary to Government of Tamil Nadu,
Department of Home,
Fort St. George,
Chennai 600 009.
2. The Additional Director General of Prison,
C.M.D.A. Towers,
Egmore, Chennai 600008.
3. The Superintendent,
Central Prison,
Coimbatore.

.... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondent to grant ordinary leave for 30 days to the detenu - Abuthahir (Convict No.5321), aged about 42 years, Son of Sherif, now, detained at Central Prison, Coimbatore.

For Petitioner : Mr.R.Narayanan

For Respondent : Mr.C.Iyyapparaj, APP for
RR1 to 3

ORDER

[Order of the court was made by Justice M.M.SUNDRESH]

The petitioner is the sister of the convict. She seeks leave for 30 days to the convict so as to make arrangements for his marriage and to take care of his ailing mother.

2. Heard both sides.

3. The detenue has already been granted leave up to 25.08.2019. Now, the convict seeks leave through his sister for a further period of 30 days. The Probation Officers has also opined that the reasons for which leave has been sought for are genuine.

4. In such view of the matter, we are inclined to direct the respondents to grant leave to the convict for 20 days commencing from 10.08.2019 (full time) subject to the usual conditions that can be imposed by the respondents, but, without escorts. The petitioner shall be released from the prison at 10.00 a.m. on 10.08.2019 and he shall return back to the prison at or before 05.00 p.m. on 31.08.2019. 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. The petitioner shall report before the Inspector of Police, Kuniyamuthur Police Station, Coimbatore District, daily at 10.00 a.m. during the leave period. This Habeas Corpus Petition is disposed of accordingly with the above directions.

The Registry is directed to list this matter on 05.09.2019 for reporting compliance.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

kmk

To

1.The Secretary to Government of Tamil Nadu, Department of Home,
Fort St. George, Chennai 600 009.

2.The Additional Director General of Prison, C.M.D.A. Towers,
Egmore, Chennai 600008.

3.The Superintendent, Central Prison, Coimbatore.

4.The Joint Secretary to Government, Public (Law and Order),
Secretariat, Fort St. George, Chennai 600009.

5.The Public Prosecutor, High Court, Chennai.

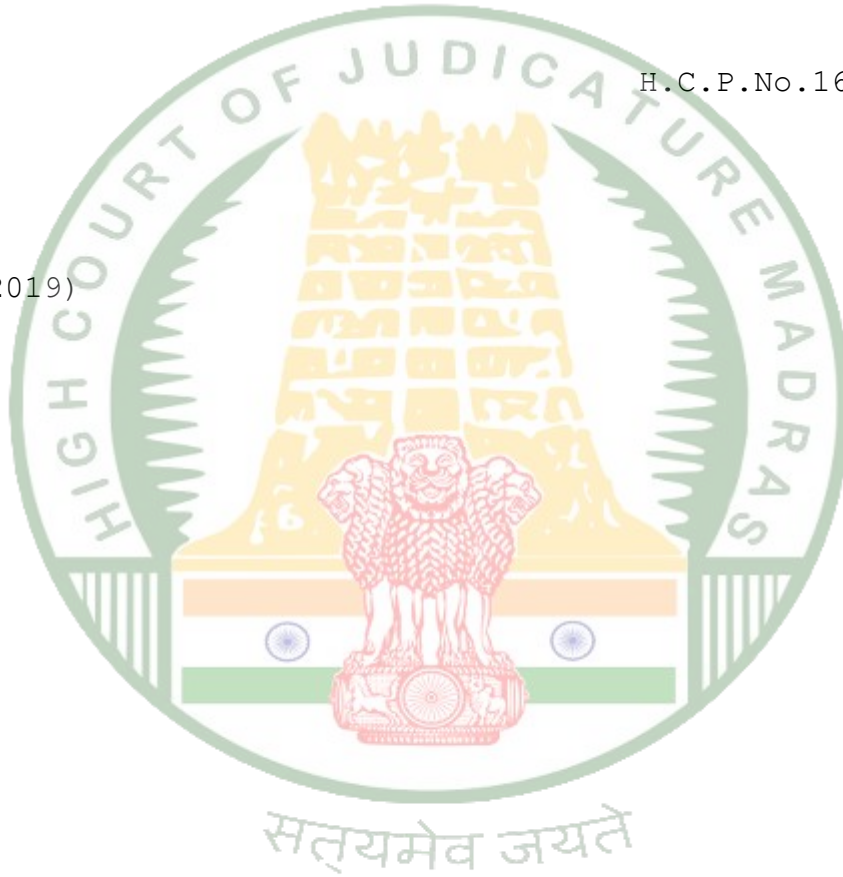
6.The Inspector of Police
Kuniamuthur Police Station
Coimbatore District

7.The Section officer
Criminal Section
High Court, Madras 104.

+1 CC to Mr.S.Manoharan, Advocate sr 67420

H.C.P.No.1615 of 2019

RK(CO)
SP(08/08/2019)



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