

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 29..08..2019
CORAM

The Honourable Mr Justice M.M.SUNDRESH
and
The Honourable Mr Justice M.NIRMAL KUMAR
Habeas Corpus Petition No.1762 of 2019

G.Manjula

... Petitioner

-Versus-

- 1.The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Fort St. George,
Chennai 600 009.
- 2.The Secretary,
Prison Department,
Fort St. George,
Secretariat Building,
Chennai 600 009.
- 3.The Additional Director General of Police,
(Prison),
C.M.D.A. Towers,
Egmore, Chennai 600 008.
- 4.The Superintendent of Prison,
Central Prison,
Coimbatore.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents to grant parole for 60 days to the petitioner's paternal uncle by name Balasubramaniam (Convict No.12644), Son of Muthusamy, aged about 73 years, who is now confined in Central Prison, Coimbatore.

For Petitioner

: Mr.W.Camyles Gandhi

For Respondents

: Mrs.V.Saradha Devi, Govt.
Advocate (Criminal Side)
for RR1 to 4

ORDER

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

The petitioner is the niece of the convict, who is aged about 73 years. The convict has been under incarceration for more than 8 years. Ordinary Leave has been sought for on the ground of ill-health of the convict and on the premise to settle the properties owned by the convict in favour of the petitioner.

2. Heard both sides.

3. Inasmuch as the said two grounds are not denied and disputed by the learned Additional Public Prosecutor, we are inclined to grant leave to the convict for 30 days, however, on conditions.

4. Accordingly, we direct the respondents to grant leave to the convict for 30 days commencing from 04.09.2019 subject to the usual conditions that can be imposed by the respondents, but, without escorts. The convict shall be released from the prison at 10.00 a.m. on 04.09.2019 and he shall return back to the prison at or before 05.00 p.m. on 05.10.2019. 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. The convict shall report before the Inspector of Police, Kudiamangalam Police Station, 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 14.10.2019 for reporting compliance.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

kmk

To

1.The Secretary to Government, Home, Prohibition and Excise
Department, Secretariat, Fort St. George, Chennai 600 009.

2.The Secretary, Prison Department, Fort St. George,
Secretariat
Building, Chennai 600 009.

3.The Additional Director General of Police, (Prison), C.M.D.A.
Towers, Egmore, Chennai 600 008.

4.The Superintendent of Prison, Central Prison, Coimbatore.

5. The Inspector of Police,
Kudiamangalam Police Station,
Kudiamangalam.

6.The Public Prosecutor, High Court, Chennai.

+1cc to Mr. W.Camyles Gandhi, Advocate, S.R.No. 74752

H.C.P.No.1762 of 2019

GMR (CO)
GN (30/08/2019)



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