

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. 1825 of 2019

S. Sarasu

..Petitioner

Vs.

The State represented by
1. The Additional Director General
of Prison,
CMDA Towers, Egmore,
Chennai - 600 008.

2. The Superintendent of Prison,
Central Prison, Kovai - 18.

3. The Superintendent of Prison,
Central Prison, Salem - 7.

...Respondents

Prayer: Petition under Article 226 of the Constitution of India
praying for issue of a Writ of Habeas Corpus to transfer the
detenu, Semmallai, S/o. Kandhasamy, from Central Prison, Kovai to
Central Prison, Salem.

For Petitioner :: Dr.S.Manoharan

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

O R D E R

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

The petitioner, who is the sister of the detenu seeks
transfer of the detenu from Central Prison, Kovai to Central
Prison, Salem on the ground that the entire family members are
residing at Salem.

2. The learned Additional Public Prosecutor submitted that
there is no adverse report against the detenu.

3. Considering the facts of the case, particularly, the
fact that there is no adverse report against the detenu coupled
with the fact that there is no dispute with regard to the

residence of near ones of the detenu, we are inclined to allow this Habeas Corpus Petition.

4. Accordingly, the Habeas Corpus Petition is allowed and the respondents are directed to transfer the detenu from Central Prison, Kovai to Central Prison, Salem.

Sd/-

Assistant Registrar (CO)

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Sub Assistant Registrar

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To

1. The Additional Director General
of Prison,
CMDA Towers, Egmore,
Chennai - 600 008.
2. The Superintendent of Prison,
Central Prison, Kovai - 18.
3. The Superintendent of Prison,
Central Prison, Salem - 7.
4. The Public Prosecutor,
High Court, Chennai.

+1cc to Dr.S.Manoharan, Advocate, S.R.No. 76386

BR(CO)
GN(03/10/2019)

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