

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.1792 of 2019

Mrs.S.Kandhalakshmi

... Petitioner

-Versus-

- 1.The State Rep. by its
Secretary to Government of Tamil Nadu,
Home Department,
Fort St. George,
Chennai 600 009.
- 2.The Additional Director General of Prison,
C.M.D.A. Towers-II,
Egmore, Cehnnai 600 008.
- 3.The Superintendent of Central Prison,
Palayamkottai,
Thirunelveli District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents to grant leave for 30 days to the petitioner's husband by name Kumarapandiyan @ Kumaran Pannaiyar @ Shanmuganathan, (LCT No.4602), a life convict, Son of Sivapandiya Thevar, now confined at Central Prison, Palayamkottai, Thirunelveli District.

For Petitioner : Mr.K.G.Senthil Kumar

For Respondents : Mrs.V.Saradha Devi, Govt.
Advocate (Criminal Side)
for RR1 to 3

ORDER

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

The petitioner is the wife of the detainee. Ordinary Leave has been sought for on the ground of attending the marriage of the son of the convict scheduled to be held on

08.09.2019. The marriage invitation is also enclosed in the typed set of papers

2. Heard both sides.

3. The learned Government Advocate, on instructions, submitted that it is true that the marriage of the son of the convict is to be held on 08.09.2019.

4. Considering the above, we are inclined to direct the respondents to grant leave to the convict for 15 days subject to the conditions.

5. Accordingly, we direct the respondents to grant leave to the convict for 15 days commencing from 01.09.2019 subject to the usual conditions that can be imposed by the respondents, but, without escorts. The detainee shall be released from the prison at 10.00 a.m. on 01.09.2019 and he shall return back to the prison at or before 05.00 p.m. on 17.09.2019. 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 detainee shall report before the Inspector of Police, Vikramasingapuram Police Station in Tirunelveli District, daily at 10.00 a.m. during the leave period except on 07.09.2019 to 09.09.2019. This Habeas Corpus Petition is disposed of accordingly with the above directions.

The Registry is directed to list this matter on 19.09.2019 for reporting compliance.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

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

2.The Additional Director General of Prison, C.M.D.A. Towers-II,
Egmore, Chennai 600 008.

3.The Superintendent of Central Prison, Palayamkottai,
Thirunelveli
District.

4.The Public Prosecutor, High Court, Chennai.

+lcc to Mr.K.G.Senthil Kumar, Advocate sr.74481

H.C.P.No.1792 of 2019

nr 30/08/2019



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