

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2019

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
AND
THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

H.C.P.NO.724 OF 2017

M.Janaki

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Petitioner

Vs

1. The Superintendent of Police,
Central Prison, Puzhal, Chennai.
2. The Inspector of Police,
T-10 Thirumullaivoyal Police Station,
Thirumullaivoyal, Chennai.

..

Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus, to grant interim parole to the petitioner's husband namely Prasanna son of Eanest from 04.05.2017 to 19.05.2017 who is confined in Central Prison, Puzhal in connection with Crime No.1086 of 2017 on the file of the second respondent and to direct the first respondent - The Superintendent of Prison, Central Prison, to release the detenu Prasanna son of Eanest, on parole.

For Petitioner

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Mr.N.Chandrasekaran

For Respondents

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Mr.C.Iyyappa Raj,

Addl.Public Prosecutor

ORDER

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

Seeking interim parole to the petitioner's husband namely Prasanna son of Eanest from 04.05.2017 to 19.05.2017 who is confined in Central Prison, Puzhal in connection with Crime No.1086 of 2017 on the file of the second respondent and to direct the first respondent - The Superintendent of Prison, Central Prison, to release the detenu Prasanna son of Eanest, on parole, the present habeas corpus petition has been filed.

2. When the matter is taken up for hearing, learned counsel appearing for the petitioner, by placing reliance upon the earlier order dated 06.05.2017 passed in this habeas corpus petition with specific reference to paragraphs 5 and 6, submitted that nothing survives for consideration in this petition. We place on record the aforesaid relevant paragraphs 5 and 6:

5. On 05.05.2017, this Court quashed the FIR in Crime No.1096 of 2017 in CrI.O.P.No.9185 of 2017 and the petitioners therein were directed to be released including the petitioner's husband, who was already directed to be released on parole. It is also pertinent to note that pursuant to the orders passed by this Court dated 05.05.2017, the petitioner's husband had already been released on parole. It is informed that the remaining prisoners in connection with Crime No.1096 of 2017 were also released by 6.00 p.m. on 05.05.2017.

6. It is evident from the act of the officials in connection with this case that communication system in the Police Department has to be improved and there should be a better coordination between the Public Prosecutor's office and police/prison authorities in order to implement the orders effectively, whenever any communication has been received, especially when urgent orders are passed. Therefore, this Court requests Mr. Shanmugasundaram, learned senior counsel to assist this Court to give suggestions for improving the communication system and similarly the learned Public Prosecutor is also requested for the same.

3. In view of the above, the Habeas Corpus Petition stands dismissed.

सत्यमेव जयते

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

mmi

To

1. The Superintendent of Police,
Central Prison, Puzhal, Chennai.

2. The Inspector of Police,
T-10 Thirumullaivoyal Police Station,
Thirumullaivoyal, Chennai.
3. The Public Prosecutor,
High Court, Madras.

H.C.P.No.724 of 2017

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