

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.09.2019

CORAM:

The Honourable Mr. Justice M.M.SUNDRESH
and
The Honourable Mr. Justice RMT.TEEKAA RAMAN

Habeas Corpus Petition No.1841 of 2019

A.Asina Banu ... Petitioner

vs.

1. State by
The Deputy Inspector General of Prison,
Vellore Range,
Vellore - 2.

2. State by
The Superintendent of Prison,
Central Prison,
Cuddalore.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the Respondents to grant one month ordinary leave to the Petitioner's husband Javeed Basha, aged 32 years, Son of Saleem Basha, Convict Prisoner, now confined in Central Prison, Cuddalore.

For Petitioner : Mr.P.Pugalenth

For Respondents : Mr.R.Prathap Kumar,
Additional Public
Prosecutor

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O R D E R

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

The Petitioner is the wife of a Life Convict, viz. Javeed Basha, who is in incarceration for the past 4 ½ years. Now, the Petitioner has come up with this Petition seeking Ordinary Leave for Thirty days to the Convict on the premise that his presence is required for making arrangements for admitting their daughter in School.

2. Heard the learned counsel for the parties.

3. As the reason assigned by the Petitioner is not seriously disputed, we are of the view that it would be appropriate to grant two weeks' Ordinary Leave to the Convict. Accordingly, we direct the Respondents to grant Ordinary leave for two weeks commencing from 20.09.2019 subject to the usual conditions that can be imposed by the Respondents. The Convict shall be released at 10.00 a.m. on 20.09.2019 and the Convict shall return back to prison at 05.00 p.m. on 04.10.2019. The Convict shall be accompanied by minimum escorts, for which, the expenses shall be borne by the Respondents.

4. This Habeas Corpus Petition is disposed of with the above direction.

5. Registry is directed to list this matter 'for reporting compliance' on 14.10.2019.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

(aeb)

To

1. The Deputy Inspector General of Prison,
Vellore Range, Vellore - 2.
2. The Superintendent of Prison,
Central Prison, Cuddalore.
3. The Public Prosecutor,
High Court, Madras.
4. The District Collector,
Cuddalore District.

+1 cc to Mr.P.Pugalenthii, Advocate, S.R.No.79531

H.C.P.No.1841 of 2019

NRL(CO)
SSM(18/09/2019)