

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 12.09.2019

CORAM

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

Habeas Corpus Petition No.1860 of 2019

Zubaida Begum

... Petitioner

... Vs ...

The State represented by its

1. The Secretary to Government of Tamil Nadu,
Department of Home,
Fort St. George,
Chennai - 600 009.
2. The Deputy Inspector General of Prison,
Coimbatore Division,
Coimbatore - 18.
3. The Superintendent of Prison,
Central Prison,
Coimbatore - 18.

... 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 petitioner's husband, the detenu, Sarfudeen, S/o. P.K.Abdul Salam, aged about 43 years, Convict No.6583, detained at Central Prison, Coimbatore.

For Petitioner : Mr.R.Narayanan

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

ORDER

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

The petitioner, who is the wife of the convict, seeks granting of ordinary leave to her husband on the ground of taking treatment for the in paternity.

2. Heard both sides.

3. Inasmuch as the purpose for leave is not in dispute coupled with the fact that the convict has been under incarceration for more than two decades, we are inclined to grant three weeks ordinary leave to the convict with minimum escort.

4. Accordingly, we direct the respondents to grant ordinary leave to the convict for three weeks subject to the usual conditions that can be imposed by the respondents. The convict shall be released from the prison at 10.00 a.m. on 13.09.2019 and that the convict shall return back to the prison at 05.00 p.m. on 05.10.2019. The convict shall be accompanied with minimum escorts. 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 from the leave.

5. In the result, the Habeas Corpus Petition is disposed of with the above directions.

List this matter on 14.10.2019 for reporting compliance.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Jr1

To

1. The Secretary to Government of Tamil Nadu,
Department of Home,
Fort St. George,
Chennai - 600 009.
2. The Deputy Inspector General of Prison,
Coimbatore Division,
Coimbatore - 18.
3. The Superintendent of Prison,
Central Prison,
Coimbatore - 18.

4. The Public Prosecutor,
High Court, Chennai.

copy to: The Section Officer,
Criminal Section, High Court, Madras.

+1 cc to Mr.R.Narayanan, Advocate, S.R.No.78323

H.C.P.No.1860 of 2019

SSI (CO)
SSM(12/09/2019) .



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