

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.10.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice RMT. TEEKAA RAMAN

H.C.P. No.2010 of 2019

Visalakshi

..Petitioner

-vs-

The State rep. by its

1.The Secretary to Government of
Tamil Nadu,
Department of Home,
Fort St. George, Chennai - 9.

2.The Additional Director General
of Prison, Egmore, Chennai - 8.

3.The Superintendent of Prison,
Central Prison, Puzhal I, Chennai.

..Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus to direct the respondents to grant ordinary leave for 60 days to the detenu Nagendran, S/o.Ponnusamy, aged about 52 years, Convict No.1236, detained at Central Prison, Puzhal I.

For Petitioner : Dr.S.Manoharan

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

ORDER

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

Petitioner is the wife of the convict, seeking ordinary leave on the ground of continuation of treatment pursuant to the liver transplantaion done. The request made by the petitioner for extension of leave was already rejected by this Court, as confirmed by the Apex Court in S.L.P.(CrI.) No.1979/2019 dated 12.03.2019. The following is the order passed:

We do not consider the present to be a fit case for interference and for extension or grant of further parole. The primary grievance of the petitioner is that the convict (husband of the petitioner) being a liver transplant case, may require immediate medical attention which may not be available in the close vicinity of the Vellore Central Jail, where the convict is presently lodged.

In view of the aforesaid apprehensions expressed by the learned counsel on behalf of the petitioner, we direct that the convict be transferred and lodged in the Puzhal Central Jail, Chennai, which is closer to the specialized medical centres for care, if the convict be in need of such care.

With the aforesaid direction, the special leave petition is disposed of.

2. In view of the above, the prayer sought for cannot be granted. However, learned counsel for the petitioner submitted that for the continuation of further treatment, the convict can be referred to the very same hospital in which he has underwent the liver transplantation. We find that the said request deserves to be considered.

3. In such view of the matter, we direct the respondents to refer the convict to the very same hospital in which he underwent liver transplantation as and when the same is required. Accordingly, the habeas corpus petition stands closed.

s/d-
Assistant Registrar (CO)

True Copy

Sub-Assistant Registrar

mmi/ssm

To

1. The Secretary to Government of
Tamil Nadu,
Department of Home,
Fort St. George, Chennai - 9.

2. The Additional Director General
of Prison, Egmore, Chennai - 8.

3. The Superintendent of Prison,
Central Prison, Puzhal I, Chennai.

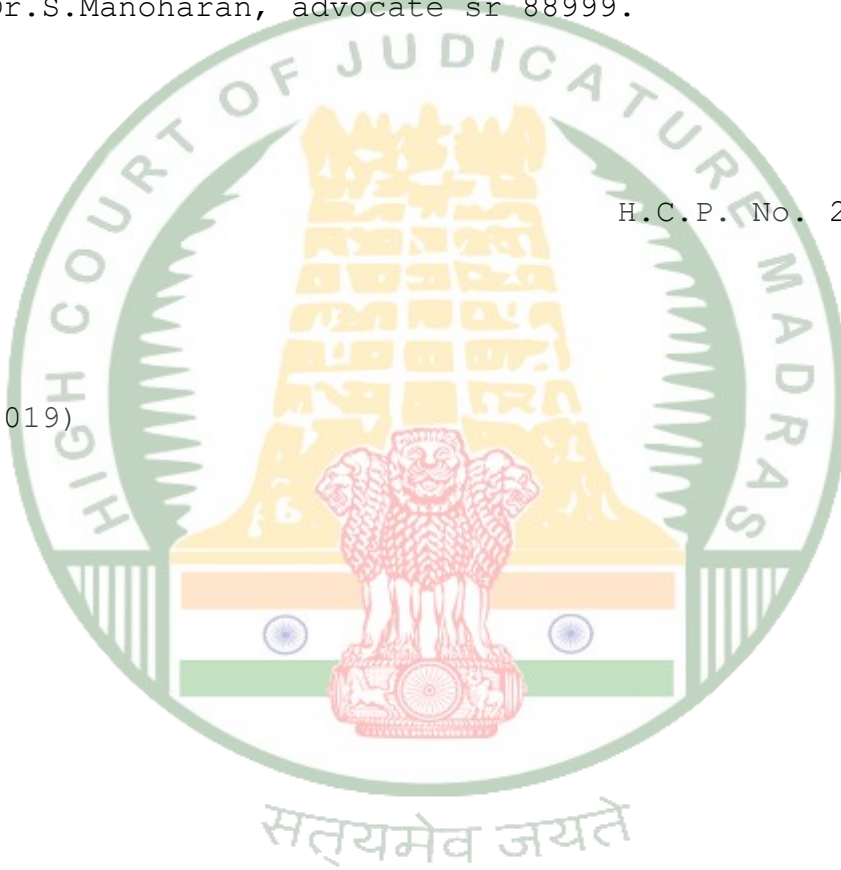
4. The Public Prosecutor,
High Court, Madras.

Copy to
The Superintendent
Central Prison
Vellore

+1 CC to Dr.S.Manoharan, advocate sr 88999.

H.C.P. No. 2010 of 2019

RSV(CO)
SP(08/11/2019)



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