

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.2110 OF 2019

S.Kalaivani

... Petitioner

-vs-

1. The Secretary to Government of
Tamil Nadu, Department of Home,
Fort St. George, Chennai - 9.
2. The Additional Director General
of Prisons, Egmore, Chennai - 8.
3. The Superintendent,
Central Prison, Puzhal I,
Chennai.

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the respondents to grant ordinary leave for 60 days to the detenu Suresh, aged about 33 years, S/o.Thirunavukarasu, convict prisoner bearing Convict No.6380 detained at Central Prison, Puzhal I, Chennai.

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.]

Seeking a direction to the respondents to grant ordinary leave for 60 days to the convict Suresh, aged about 33 years, S/o.Thirunavukarasu, convict prisoner bearing Convict No.6380 detained at Central Prison, Puzhal I, Chennai, the present habeas corpus petition has been filed.

2.Learned counsel appearing for the petitioner submits that the petitioner is the wife of the convict and leave has been

sought for on the ground that she is ill and therefore unable to take care of the two minor children. He further submits that the presence of the convict is required to make such arrangements.

3.The convict has been under incarceration for about 3 years. The fact that the petitioner is an asthma patient and having two minor children is not in dispute. The convict has not availed any leave earlier.

4.Considering the above, we are inclined to grant 15 days leave to the convict with minimum escort. Accordingly, the convict shall be released at 10.00 a.m. on 29.10.2019 and he shall return back to prison at 05.00 p.m. on 12.11.2019 subject to the usual conditions that can be imposed.

5. In view of the above, the Habeas Corpus Petition stands disposed of.

Post the matter on 13.11.2019 'for reporting compliance'.

Sd/-
Assistant Registrar(CS VIII)

//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 Prisons, Egmore, Chennai - 8.
3. The Superintendent,
Central Prison, Puzhal I, Chennai.
4. The Public Prosecutor, High Court, Madras.
5. The District Collector, Chennai.

+1cc to Dr.S.Manoharan, Advocate, S.R.No.88997

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CP(CO)
CS/25/10/2019