

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.10.2019

CORAM:

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

Habeas Corpus Petition No.2165 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 Ordinary leave for a period of 15 days from 04.10.2019 to 19.10.2019 to the Petitioner's husband, Javeed Basha, Son of Saleem Basha, Convict Prisoner, now confined in Central Prison, Cuddalore.

For Petitioner : M/s.S.Nadhiya

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

O R D E R

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

This Habeas Corpus Petition is filed by the Petitioner, who is the wife of the detenu, on the premise that the presence of the detenu is necessary, as she has to undergo a surgery in her Uterus.

2. This Court, on various occasions, had considered grant of Ordinary Leave to Life Convicts, for some other reasons. It is not as if the detenu, who is a Life Convict, has violated any of the conditions imposed. Documents filed would also show that the Petitioner requires medical procedure.

3. In such view of the matter, this Court is inclined to grant one week Ordinary Leave to the Convict. Accordingly, we direct the Respondents to grant Ordinary leave to the Convict for one week commencing from 05.10.2019, subject to the usual conditions that can be imposed by the Respondents. The Convict shall be released at 10.00 a.m. on 05.10.2019 and the Convict shall return back to prison at 05.00 p.m. on 11.10.2019. 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. Registry is directed to list this matter 'for reporting compliance' on 14.10.2019.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

(aeb)

Note to Registry:

Communicate a copy of this order to the District Collector, Cuddalore.

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

Copy To:

The Section Officer,
Criminal Section,
High Court, Madras

+1cc to Mr.P.Pugalenthil, Advocate SR.No. 84872

H.C.P.No.2165 of 2019

A.SK(04/10/2019)