

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2019

Coram

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

H.C.P. No. 2209 of 2019

Sivathy ... Petitioner/Daughter of
the detenue

-vs-

The State represented by

- 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,
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 30 days to the detenu Samy Kamalanathan, S/o.Rasanayagam, aged about 70 years, life convict prisoner, bearing Convict No.4220 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.]

Seeking a direction to the respondents to grant ordinary leave for 30 days to the petitioner's father namely, Samy Kamalanathan, aged about 70 years, life convict prisoner, bearing Convict No.4220 detained at Central Prison, Puzhal I, Chennai, the present Habeas Corpus Petition has been filed.

2. The petitioner is the daughter of the convict. This habeas corpus petition has been filed seeking a direction for ordinary leave on the ground of taking care of her. It appears that the mother of the petitioner is no more. The petitioner also met with an accident and she is immobilised.

3. Learned Additional Public Prosecutor, on instructions, submitted that the petitioner is immobilised. However, the convict was given leave on the earlier occasion on 27.02.2019 for a period of one month.

4. Inasmuch as the reason assigned is not in dispute and considering the fact that the petitioner is the unmarried daughter of the convict and her mother is also no more, we are inclined to grant 15 days leave to the convict.

5. Accordingly, the respondents are directed to grant 15 days leave to the convict without escort subject to the usual conditions that can be imposed and the Habeas Corpus Petition stands disposed of. The convict shall be released at 10.00 a.m. on 22.11.2019 and he shall return back to the prison on 06.12.2019 at 5.00 p.m. The convict shall report before the Inamkulathur Police Station, Trichy daily at 5.30 p.m. during the aforesaid leave period.

Post the matter 'for reporting compliance' on 09.12.2019.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

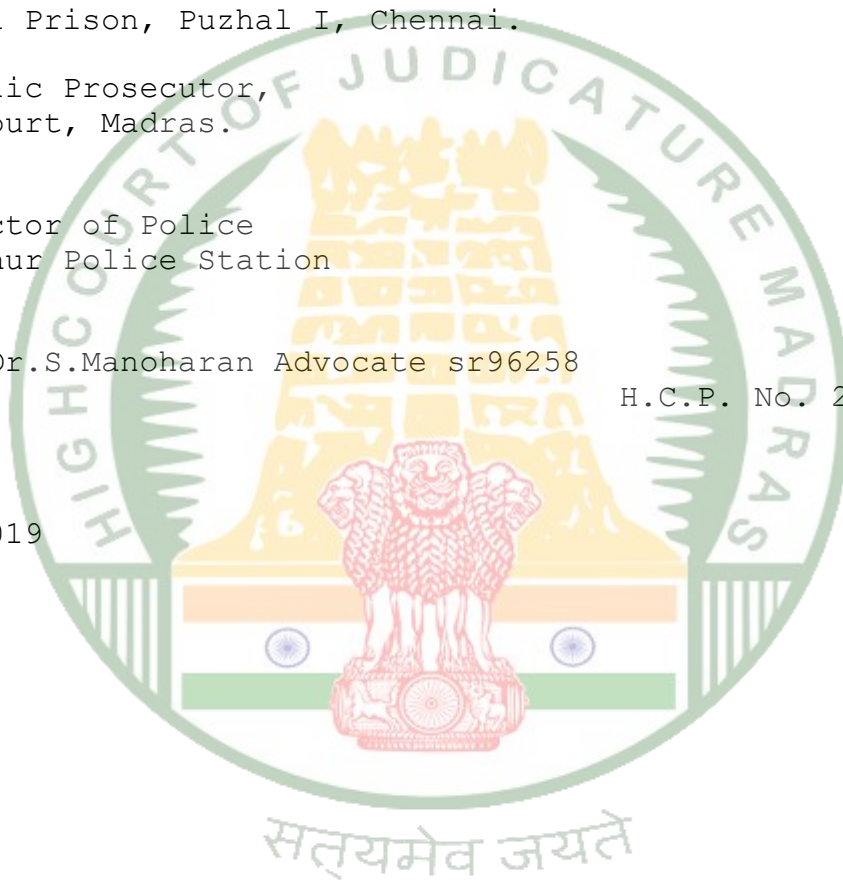
- 1.The Secretary to Government of Tamil Nadu,
Department of Home,
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- 2.The Additional Director General of Prison,
Egmore, Chennai - 8.
- 3.The Superintendent,
Central Prison, Puzhal I, Chennai.
- 4.The Public Prosecutor,
High Court, Madras.

copy to
The Inspector of Police
Inamkulathur Police Station
Trichy

+1 cc to Dr.S.Manoharan Advocate sr96258

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