

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2019

Coram

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

H.C.P. No. 2324 of 2019

M.Saravanan

... Petitioner

-vs-

1.The Home Secretary,
Home Department,
Secretariat, Fort St. George,
Chennai - 9.

2.Additional Director General of
Police and Inspector General
of Prisons, Whannels Road,
Egmore, Chennai - 8.

3.The Superintendent of Police,
Salem Central Prison,
Salem District - 636 007.

.... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the respondents to grant one month leave without escort to the petitioner M.Saravanan, S/o.Munusamy, aged about 47 years (C.T.No.0681 Life Convict Prisoner, now confined in Salem Central Prison, Salem herein third respondent for the purpose of taking surgery for cataract pursuant to the petitioner's wife representation to the respondents dated 04.10.2019.

For Petitioner : Mr.P.Muthamizh Selvakumar

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

ORDER

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

The petitioner, who is the convict, is under incarceration for fourteen years. Though on the earlier occasions, the convict has been granted ordinary leave, the present one is filed on the ground that he need surgery for removal of cataract in the eye.

2.The learned Additional Public Prosecutor submitted that on the earlier occasions, the convict was granted ordinary leave. However, there is no dispute with respect to the ailment being suffered by the convict and the need for surgery.

3.Considering the above, we are inclined to grant fifteen days ordinary leave to the convict, without escort subject to the usual conditions that can be imposed, for the purpose of cataract surgery. Accordingly, the convict shall be released at 10.00 a.m. on 12.11.2019 and he shall return back to prison at 05.00 p.m. on 26.11.2019 subject to the usual conditions that can be imposed. The convict shall report before the Karungalpalayam Police Station, Erode daily at 5.00 p.m. during the leave period.

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

Post the matter on 27.11.2019 'for reporting compliance'.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

To

1.The Home Secretary,
Home Department,
Secretariat, Fort St. George,
Chennai - 9.

2.The Additional Director General of
Police and Inspector General of Prisons,
Whannels Road,
Egmore, Chennai - 8.

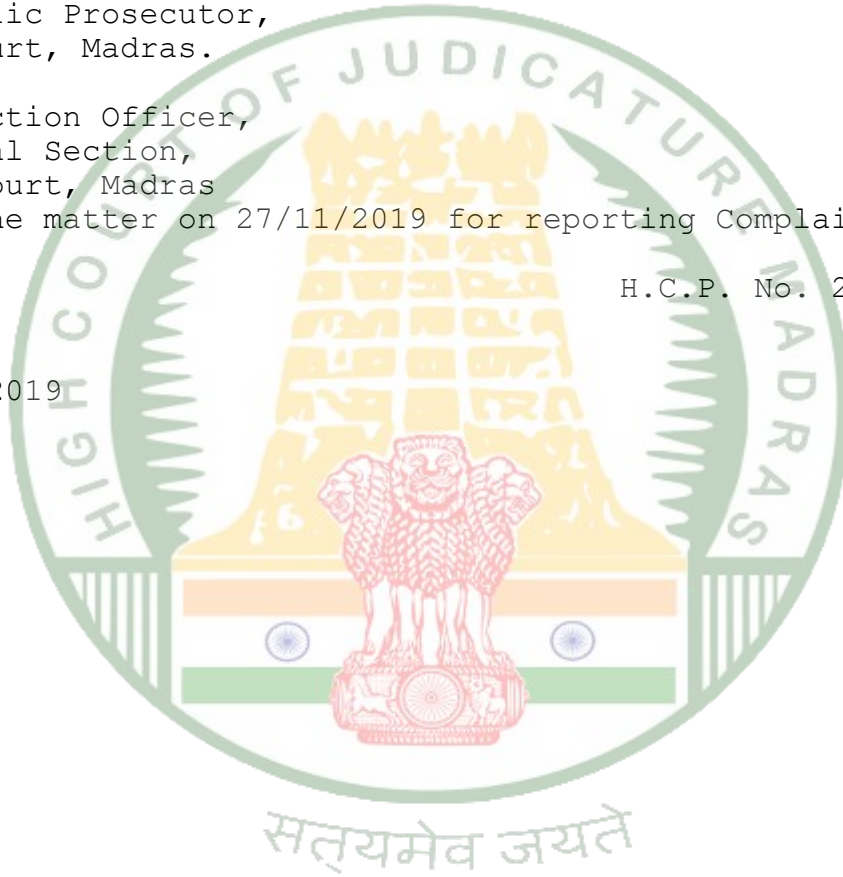
3.The Superintendent of Police,
Salem Central Prison,
Salem District - 636 007.

4.The Public Prosecutor,
High Court, Madras.

5. The Section Officer,
Criminal Section,
High Court, Madras
(Post the matter on 27/11/2019 for reporting Complainance)

H.C.P. No. 2324 of 2019

bp(co)
nr 11/11/2019



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