



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.04.2019

CORAM :

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THE HONOURABLE MR.JUSTICE **N.SESHASAYEE**

W.P.(MD)Nos.5283 and 6809 of 2019

Shri Krishnan Sridaran Rajendran
@ Krishnan Seedaran Rajendran @ Madan

... Petitioner in both cases

Vs.

1.State of Tamil Nadu represented by
The Principal Secretary,
Home (Prison) Department,
Fort St.George,
Secretariat, Chennai - 600 009.

2.The Additional Director General of Police (Prisons) /
the Inspector General of Prisons,
CMDA Tower -II, No.1, Gandhi Irwin Road,
Egmore, Chennai.

3.The Superintendent of Police,
Palayamkottai Central Prison,
Tirunelveli District.

... Respondents in both cases

Prayer in W.P.(MD)No.5283 of 2019: Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to transfer the petitioner from Palaymkottai Central Prison to Vellore or Puzhal Central Prison within the time stipulated by this Court.

Prayer in W.P.(MD)No.6809 of 2019: Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to grant 7 days emergency leave to the petitioner, by name, Shri Krishnan Sridaran Rajendran @ Krishnan Seedaran Rajendran @ Madan, son of Krishnan Sridaran, aged about 35 years, now confining as a convict prisoner (C.P.No.4103) at Palayamkottai Central Prison, to see his ailing wife and the petitioner's treatment under Rule 6 of the Tamil Nadu Suspension of Sentence Rules, 1982, forthwith.

For Petitioner : Mr.R.Alagumani
For Respondents : Mrs.S.Bharathi,
Government Advocate (Crl.side)
(In both cases)

**COMMON ORDER**

The petition in W.P.(MD)No.5283 of 2019 has been filed to direct the respondents to transfer the petitioner from Palaymkottai Central Prison to Vellore or Puzhal Central Prison.

2.The petition in W.P.(MD)No.6809 of 2019 has been filed for a direction to the respondents to grant 7 days emergency leave to the petitioner to visit his ailing wife and for his treatment.

3.Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondents.

4.The petitioner is a convict and lodged prisoner in Palaymkottai Central Prison. Previously, he was in Puzhal Prison, from where, he was transferred to Palaymkottai Central Prison, on the basis of certain information received by the Intelligence Agency.

5.The learned Government Advocate has circulated to this Court, a note from the Intelligence Agency in a sealed cover, which indicated that it may not be safe to transfer the petitioner to Puzhal Prison. Since a reason stated is likely to affect certain national interest, this Court may not be able to divulge the same. Suffice for the present to state that the petitioner may not be transferred to Puzhal Prison, as requested by the petitioner in this petition.

6.The learned Counsel for the petitioner submitted that even a convict lodged in a prison is entitled to have his relatives visit him and because of the distance, his family members are not able to travel.

7.This Court, therefore, directs the second respondent to consider, if it would be safe to transfer the prisoner to any other Central Prison, which is not far distance away from Chennai within a period of four weeks from the date of receipt of a copy of this order and communicate the same to the petitioner.

8.Insofar as W.P.(MD)No.6809 of 2019 is concerned, the learned Government Advocate submitted that on 25.03.2019, the petitioner has assaulted one of the Prison Authorities and hence, he is barred from availing any parole. The said statement is recorded and the Prison Authority is now directed to consider his prayer for parole, after explore the said thing and communicate the same to the petitioner.



9. These writ petitions are disposed of, as indicated above. No costs.

Sd/-

Assistant Registrar (Writs)

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// True Copy //

Sub Assistant Registrar (CS)

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To

1. The Principal Secretary,
Home (Prison) Department,
Fort St. George,
Secretariat, Chennai - 600 009.
2. The Additional Director General of Police (Prisons) /
the Inspector General of Prisons,
CMDA Tower -II, No.1, Gandhi Irwin Road,
Egmore, Chennai.
3. The Superintendent of Police,
Palayamkotai Central Prison,
Tirunelveli District.

+2CC TO MR.R.ALAGUMANI, Advocate Sr. No.59060 & 59059

Order made in
W.P. (MD) Nos. 5283 and 6809 of 2019
03.04.2019

MT (CO)

TR (21.05.2019) 3P 6C