



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**
W.P. (MD) .No.8917 of 2019

M.Subbaiah

.. Petitioner

Vs.

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

2.The Superintendent of Central Prison,
Central Prison,
Trichy.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus, directing the respondent to grant parole to the petitioner's son for the period of 15 days for the purpose of attending puberty function of the convicted prisoner's daughter and also making money arrangements and to assist the petitioner at the time of taking treatment, based on the representation dated 03.04.2019.

For Petitioner : Mr.C.Susikumar

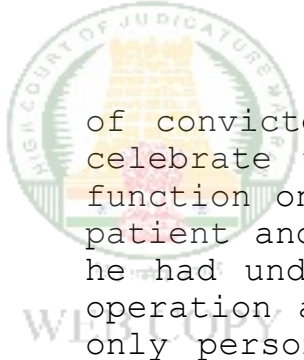
For Respondents : Mrs.S.Bharathi
Government Advocate (Crl. side)

O R D E R

The prayer in the Writ Petition is for the issue of a Writ of Mandamus, directing the respondent to grant parole to the petitioner's son for the period of 15 days for the purpose of attending puberty function of the convicted prisoner's daughter and also making money arrangements and to assist the petitioner at the time of taking treatment, based on the representation dated 03.04.2019.

2.Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate (Criminal side) appearing for the respondents.

3.The petitioner's son viz., Sentilmurugan is a life convict in a murder case in Crime No.38 of 2003, on the file of the Perambalur Police Station and now, he is confined at Trichy Central Prison. The petitioner's granddaughter viz., Suganthi, who is the daughter



of convicted prisoner, recently attained puberty and they have to celebrate the same in a grand manner and proposed to conduct the function on 22.04.2019. Apart from that, the petitioner is a heart patient and recently, he was suffering from mild attack, for which, he had undergone treatment and therefore, he needs some money for operation and other medical expenses. The petitioner's son is the only person to raise necessary financial assistance for providing better treatment for his father and hence, the petitioner has come up with the present Writ petition.

4. When the matter came up for hearing on 12.04.2019, the learned Government Advocate (Criminal side) submitted that in the year 2010, the petitioner's son was granted parole and subsequently, he was absconded for the next six years and again, he was arrested on 15.04.2016 and therefore, she vehemently opposed for grant of Parole to the petitioner's son. But, considering the health condition of the petitioner, this Court wants to ensure that the petitioner is taking treatment from the Hospital for his ailment.

5. Today, when the matter is taken up for hearing, the learned Government Advocate (Criminal side) submitted that the Probationary Officer, Perambalur, visited the residence of the petitioner and submitted a report dated 13.04.2019, stating that the petitioner is taking treatment for his ailment in the hospital.

6. Considering the facts and circumstances of the case and considering the health condition of the petitioner and also considering the fact that the petitioner's son has to raise certain funds for the treatment of his father, this Court directs the second respondent herein to release the petitioner's son viz., Senthilmurugan, who is a life convict in Trichy Central Jail, on parole, on 22.04.2019 at 09.00 a.m. on condition that the said Senthilmurugan shall be brought back to the second respondent jail, by 06.00 p.m. on 22.04.2019. Necessary escort will be provided to accompany the said Senthilmurugan to his native place at D5/29, Bharathidasan 3rd Street, Perambalur. The petitioner shall produce all necessary documents, along with a copy of this order, before the jail authorities. During parole, the life convict shall abide all the conditions prescribed in the Jail Manual.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //



To

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

2.The Superintendent of Central Prison,
Central Prison,
Trichy.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.C.Susikumar, Advocate, SR.No. 61182

W.P. (MD) .No.8917 of 2019
15.04.2019

KK/SAR/16.04.2019/ 3P- 5C