



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Monday, the Fifteenth day of April Two Thousand and Nineteen

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CORAM:

The Hon'ble Mr Justice P.N.PRAKASH

AND

The Hon'ble Mr Justice B.PUGALENDHI

CRL MP (MD) . No.1399 of 2019

in

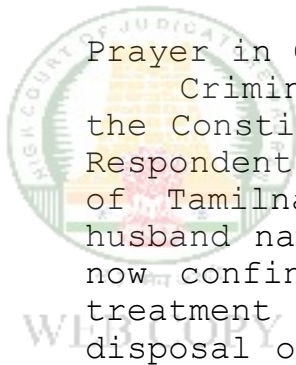
HCP (MD) .No.1049 of 2018

AAJARA BEGUM

... Petitioner

Vs

- 1 THE SECRETARY TO THE GOVERNMENT OF TAMIL NADU,
HOME DEPARTMENT, FORT ST. GEORGE, CHENNAI - 600 009.
- 2 THE SECRETARY TO THE GOVERNMENT OF TAMIL NADU,
HEALTH AND FAMILY WELFARE DEPARTMENT, FORT ST. GEORGE,
CHENNAI - 600 009.
- 3 THE INSPECTOR GENERAL OF PRISONS,
O/O. THE INSPECTOR GENERAL OF PRISONS, CMDA TOWERS, EGMORE
CHENNAI - 600 008.
- 4 THE DEPUTY INSPECTOR GENERAL OF PRISONS,
O/O. THE DEPUTY INSPECTOR GENERAL OF PRISONS,
MADURAI
- 5 THE SUPERINTENDENT OF PRISON,
MADURAI CENTRAL PRISON, MADURAI
- 6 THE DISTRICT COLLECTOR & DISTRICT MAGISTRATE,
MADURAI
- 7 THE DISTRICT COLLECTOR & DISTRICT MAGISTRATE,
DINDIGUL
- 8 THE INSPECTOR OF POLICE,
DINDIGUL TOWN NORTH POLICE STATION, DINDIGUL ... Respondents



Prayer in CRL MP(MD). No.1399 of 2019:-

Criminal Miscellaneous Petition is filed under Article 226 of the Constitution of India, praying this Hon'ble Court to direct the Respondents to grant 30 days ordinary leave under Rule 20,22,23,24 of Tamilnadu Suspension of Sentence Rules,1982 to petitioner's husband namely Meeran Maideen, aged 47 years, son of Khadar Maideen now confined at Madurai Central Prison for enabling him to take treatment for save his life and in the interest of justice till the disposal of the main Habeas Corpus Petition and thus render justice within the time stipulated by this Honourable Court.

Prayer in Habeas Corpus Petition(MD) No.1049 of 2018 :

Habeas Corpus Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus or any other appropriate Writ or order or Direction in the nature of writ to direct the respondents to produce the body and person of the detainee namely Meeran Mideen, aged 47 years, son of Khadar Mideen now confined at Madurai Central Prison and set him at liberty by extending the benefit of G.O.MS.64, Home (Pri IV) Department dated 01.02.2018 passed by the respondent No.1, and pass such further or other orders.

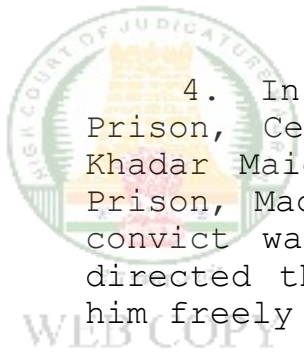
ORDER:- Criminal Miscellaneous Petition is coming on for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. R.ALAGUMANI, Advocate for the Petitioner and of Mr.K.Chellapandian, learned Additional Advocate General, assisted by Mr. M.CHANDRASEKARAN, ADDITIONAL PUBLIC PROSECUTOR, on behalf of the respondents, this Court made the following order:

(ORDER OF THE COURT WAS MADE BY P.N.PRAKASH, J.)

It is the case of the petitioner that her husband, Meeran Maideen, is a life convict, undergoing imprisonment in Central Prison, Madurai and that both his kidneys have failed and his condition is precarious. It is also seen that the concerned authorities have sent favourable recommendations to the Government for realising the prisinor on medical grounds.

2.Learned Addl. Advocate General submitted that the files are pending in the Governor's Secretariat and in view of the Election Code of Conduct, the Governor is not able to pass any orders on the said petition. However, learned Addl. Advocate General submitted that the prisoner is being taken twice a week for dialysis to the Rajaji Government Hospital under police escort.

3.When we queried the learned Addl. Advocate General as to whether the prisoner has been classified under dangerous category and whether there is any possibility of escape, learned Addl. Advocate General fairly submitted that his condition is so bad that his escape will not be probable.



4. In view of the above, we direct the Superintendent of Prison, Central Prison, Madurai, to transfer Meeran Maideen, S/o Khadar Maideen, life convict No.4330, confined at Madurai Central Prison, Madurai, to Rajaji Government Hospital for treatment in the convict ward until further orders of this Court. It is further directed that his wife, son and daughter may be permitted to meet him freely and stay with him in the ward.

5. In the meantime, if the Government passes order releasing him on medical grounds, this order shall not in any manner prevent such release. Call on 12.6.2019.

Sd/-

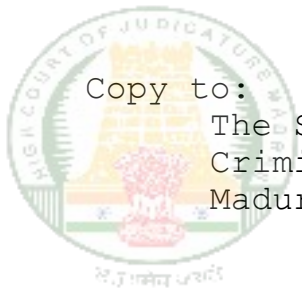
Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar (CS)

TO

- 1 THE SECRETARY TO THE GOVERNMENT OF TAMIL NADU,
HOME DEPARTMENT, FORT ST. GEORGE, CHENNAI - 600 009.
- 2 THE SECRETARY TO THE GOVERNMENT OF TAMIL NADU,
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MADURAI
- 5 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI
- 6 THE DISTRICT COLLECTOR & DISTRICT MAGISTRATE, MADURAI
- 7 THE DISTRICT COLLECTOR & DISTRICT MAGISTRATE, DINDIGUL
- 8 THE INSPECTOR OF POLICE,
DINDIGUL TOWN NORTH POLICE STATION, DINDIGUL
- 9 THE DEAN, GOVERNMENT RAJAJI HOSPITAL, MADURAI
10. The Additional Public prosecutor,
Madurai Bench of Madras High Court, Madurai



Copy to:

The Section Officer,
Criminal Section,

Madurai Bench of Madras High Court, Madurai (2 COPIES)

WEB COPY

ORDER DATED : 15/04/2019

HEARING DATE : 12/06/2019

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ORDER

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CRL MP (MD) . No.1399 of 2019
in
HCP (MD) .No.1049 of 2018

Giving direction and etc.
as stated within.

KK/SAR/27.04.2019/ 4P- 13C