

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.03.2020

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THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.2005 of 2020

Shamma

.. Petitioner

Vs

The State represented by its,

1.The Secretary to Government of Tamilnadu,
Department of Home,
Fort St.George,
Chennai - 600 009.

2.The Deputy Inspector of General of Prison,
Kovai Zone, (Central Prison),
Kovai.

3.The Superintendent,
Central Prison,
Kovai.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to direct the respondent to grant ordinary leave for 20 days to the detenue, Aslam S/o Jainulapudin, Convict No.18819, detained at Central Prison, Kovai.

For Petitioner : M/s.S.Lakshmi

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

The petition has been filed to direct the respondent to grant ordinary leave for 20 days to the detenu namely Aslam S/o Jainulapudin, Convict No.18819, detained at Central Prison, Kovai.

2.He is a life convict prisoner, bearing Convict No.18819. To grant leave for 20 days to her husband, the petitioner submitted her representation dated 21.12.2019.

3.The learned Additional Public Prosecutor submitted that the petitioner is the husband of the life convict, who is also involved in another case, which is pending before the Trial Court and he has not been granted bail. Therefore, the petitioner's representation dated 21.12.2019 was already rejected by an order dated 04.02.2020. Therefore, the prayer sought for in this petition cannot be considered and this petition is liable to be dismissed.

4.Considering the facts and circumstances of the case, this Court is not inclined to grant leave to the petitioner's husband and accordingly, this Criminal Original Petition is dismissed.

5.However, the petitioner is at liberty to challenge the rejection order before the Court in the manner known to law.

Sd/-
Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

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To

- 1.The Secretary to Government of Tamilnadu,
Department of Home,
Fort St.George,
Chennai - 600 009.
- 2.The Deputy Inspector of General of Prison,
Kovai Zone, (Central Prison),
Kovai.
- 3.The Superintendent,
Central Prison,
Kovai.
- 4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Manoharan, Advocate SR.No.19974

Cr1.O.P.No.2005 of 2020

VSN II (CO)
GMY (11/06/2020)