

Crl.M.P.No.1551 of 2020
in
H.C.P.No.2755 of 2019

R.SUBBIAH, J
and
R.PONGIAPPAN, J

[Order of the Court was made by **R.SUBBIAH, J**]

The present Miscellaneous Petition has been filed seeking modification of the order dated 22.01.2020 passed in H.C.P.No.2755 of 2019.

2. Heard learned counsel for petitioner and learned Additional Public Prosecutor appearing for respondents.

3. Learned counsel for petitioner submits that this Court, taking into consideration that the convict prisoner is suffering from pituitary tumour, under order dated 22.01.2020, granted leave to him from 03.02.2020 to 02.03.2020, to take treatment. Learned counsel submits that since Doctors have planned to conduct surgery for the convict prisoner only on 17.02.2020, the present petition has been filed seeking leave to the convict prisoner from 17.02.2020 to 16.03.2020.

4. Learned Additional Public Prosecutor, on instructions, submits that the convict prisoner has not been released and he is in prison only.

5. Considering the submissions made, this Court modifies the order dated

22.01.2020 to the following effect:

- (i) In the order, where ever the words 'life convict' appear shall be replaced with 'convict prisoner';
- (ii) In paragraph No.2, the words 'five years' shall be replaced with 'one year';
- (iii) In paragraph No.4, the last sentence shall be replaced with : 'Accordingly, the convict prisoner viz., K.V.Meenakchinathan is granted leave for four weeks i.e. from 17.02.2020 to 16.03.2020 and he shall be taken back to prison on 16.03.2020 at 05.00 p.m. without fail.'

Except the above modification, the earlier order dated 22.01.2020 shall remain unaltered.

Accordingly, the Miscellaneous Petition is ordered.

[R.P.S., J]

[R.P.A, J]

06.02.2020

Note: Issue order copy by 10.02.2020

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