

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

H.C.P.No.339 of 2020

Stella Mery ... Petitioner/Wife of the Detenu

Vs

1. The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
Home (Prison) Department,
Tamil Nadu Government Chief Secretariat,
Fort Saint George,
Chennai - 600 009.
 2. The Additional Director General of Police/IG of Prisons,
CMDA, Towers II, No.1,
Gandhi Irvin Road,
Egmore,
Chennai - 600 008.
 3. The Superintendent,
Central Prison-I,
Puzhal,
Chennai.
- ...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Habeas Corpus, directing the respondents to grant leave for one month by the detenu Pandiyan, son of Mani, aged about 49 years, C.T. No. 2416, now confined at Central Prison-I, Puzhal, Chennai, based on the Petitioner representation dated 24.12.2019.

For Petitioner : Mr. Ilayaraja Kandasamy

For Respondents: Mr. R. Prathap Kumar
Additional Public Prosecutor.

O R D E R

(Order of the court was made by MR.N.KIRUBAKARAN.J.,)

The Petitioner's husband has been convicted with life imprisonment along with other sentence in S.C. No. 485 of 2003 dated 05.08.2004 and he has been in jail from the year 2004 onwards, and this Petition has been filed to grant leave for 1 month to her husband since the father of the detenu is indisposed and the mother is also not feeling well and for making arrangements for the children's life.

2. Heard Mr. Ilayaraja Kandasamy, learned Counsel for the Petitioner and Mr. R. Prathap Kumar, learned Additional Public Prosecutor for the Respondents.

3. Though it is opposed by the learned Additional Public Prosecutor, considering the fact that the detenu has been in jail for the past 15 years, this Court is inclined to take lenient view in considering the leave application.

***4. Therefore, this Court is granting leave for a period of 15 days commencing from 21.03.2020 to 04.04.2020. The detenu shall be released at 10 a.m. on 21.03.2020 without police escort and he shall return to prison at 05.00 p.m. On 04.04.2020.**

5. Accordingly, this Petition is ordered. No costs.

Sd/-

Assistant Registrar(CS VIII)

Dated: 19.03.2020

*** Corrected order to be issued;**

sd/- Assistant Registrar(CS VIII)

Dated: 20.03.2020

//True Copy//

Sub Assistant Registrar

To

1. The Principal Secretary to Government,
Home (Prison) Department,
Tamil Nadu Government Chief Secretariat,
Fort Saint George,
Chennai - 600 009.

To be substituted to
the order already
despatched on
20.03.2020

2. The Additional Director General of Police/IG of Prisons,
CMDA, Towers II, No.1,
Gandhi Irvin Road,
Egmore,
Chennai - 600 008.

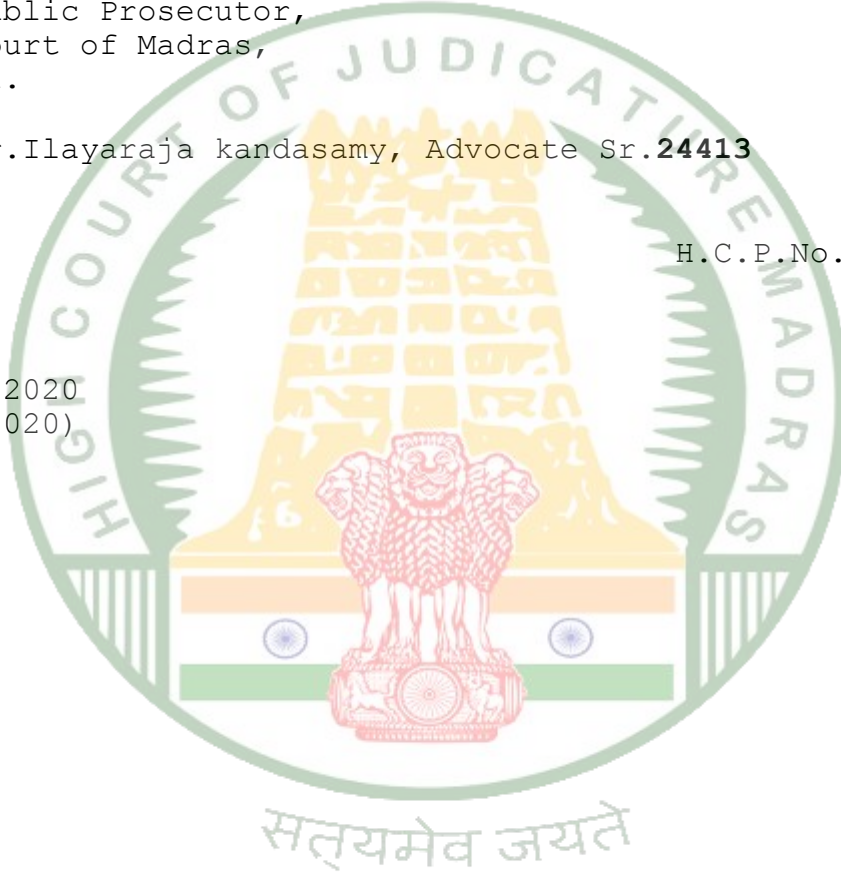
3. The Superintendent,
Central Prison-I,
Puzhal,
Chennai.

4. The Public Prosecutor,
High Court of Madras,
Chennai.

+lcc to Mr.Ilayaraja kandasamy, Advocate Sr.24413

H.C.P.No.339 of 2020

NR[CO]
SRG 19/03/2020
SP(20/03/2020)



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