

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MRS.JUSTICE R.HEMALATHA
H.C.P.No.475 of 2020

M.Jayalakshmi

... Petitioner

Vs

1. The Secretary to Government of Tamil Nadu,
Department of Home,
Fort St. George,
Chennai - 600 009.
 2. The Director General of Prison,
Coimbatore District,
Coimbatore.
 3. The Superintendent,
Central Prison,
Coimbatore.
- 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 30 days to the petitioner's husband K.Manivannan (Convict No.18954), S/o.Kupparangan aged about 45 years, who is confined in Central Prison, Coimbatore without escort.

For Petitioner : Mr.S.Kumarasamy

For Respondent : Mr.R.Prathap Kumar,
Additional Public Prosecutor

W E B C O P Y
O R D E R
(Order of the court was made by N.KIRUBAKARAN.J.,)

This petition has been filed seeking a direction to the respondents to grant leave for the period of 30 days to the petitioner's husband who is convicted by virtue of Judgment dated 03.12.2015 made in S.C.No.75 of 2011 and sentenced to undergo lifetime imprisonment under Section 302 of Indian Penal Code along with other sentences.

2. Heard Mr.K.Kumarasamy, learned Counsel for the Petitioner and Mr. R. Prathap Kumar, learned Additional Public Prosecutor appearing for the Respondents.

3.It is seen from records that the mother of the detenu has sustained fracture and she has been admitted in Christian Medical College & Hospital, Vellore and subsequently discharged. It is submitted by the learned Counsel for the petitioner that his mother wishes to see her son and the detenu also wishes to see his ailing mother.

4.Taking into consideration of the fact that the mother of the detenu has sustained fracture and treatment is being taken, this Court is inclined to grant leave to the detenu viz., K.Manivannan (Convict No.18954), S/o.Kupparangan aged about 45 years, who is confined in Central Prison, Coimbatore for a period of 15 days commencing from 11.03.2020 till 25.03.2020 without police escort. The detenu shall be released at 11 a.m. on 11.03.2020 and he shall return back to prison at 6 p.m. on 25.03.2020 without police escort. During the said period, the detenu shall appear before the Periyarayanayakkanpalayam Police Station, Coimbatore everyday at 5 p.m.

5.In the result, this petition is disposed of with the above directions.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

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

2. The Director General of Prison,
Coimbatore District,
Coimbatore.

3. The Superintendent,
Central Prison,
Coimbatore.

4.The Inspector of Police ,
Periyanayakkanpalayam Police Station, Coimbatore.

+2ccs to Mr.K.Bharathi, Advocate SR.No. 20493,20062

H.C.P.No.475 of 2020

A.SK(10/03/2020)



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