

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.6.2020

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

H.C.P.No.452 of 2020

Pachayammal

...Petitioner

Vs

1.The Deputy Inspector General
Of Prison, Vellore Range,
Vellore-2.

2.The Superintendent of Prison,
Central Prison, Vellore-2.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Habeas Corpus directing the respondents to grant 20 days ordinary leave to the petitioner's brother namely Thepori Perumal, S/O Govindasamy, aged about 62 years, life convict Ct.No.19892, now confined at the Central Prison, Vellore.

For Petitioner : Ms.S.Nadhiya

For Respondents : Mrs.Prabhavathi, APP

O R D E R

(Order of the Court was made by T.S.SIVAGNANAM,J)

We have elaborately heard Ms.S.Nadhiya, learned counsel for the petitioner and Mrs.Prabhavathi, learned Additional Public Prosecutor appearing for the respondents.

2. The petitioner is the sister of the life convict by name Thepori Perumal, who is now confined in the Central Prison, Vellore and she seeks to grant ordinary leave to the detenu so as to enable him to see their mother, who is aged 97 years and whose health condition is critical.

3. The learned Additional Public Prosecutor submits that this petition is not maintainable in accordance with the relevant Rules and that the life convict will be entitled to ordinary leave only in November 2020.

4. Considering the age and health condition of the petitioner's mother, which facts are not disputed by the learned Additional Public Prosecutor, we are inclined to grant emergency leave to the life convict.

5. Accordingly, this habeas corpus petition is disposed of by granting emergency leave to the petitioner's brother - Mr.Thepori Perumal, S/O Govindasamy, who is currently confined at the Central Prison, Vellore from tomorrow onwards i.e 20.6.2020 till 29.6.2020 by making it clear that the detenu shall report before the Central Prison, Vellore on 29.6.2020 at 5 PM without fail. The detenu is further directed to appear before the Inspector of Police, Palacode Police Station, Dharmapuri District on 24.6.2020 at 10.30 AM.

Sd/-

Assistant Registrar (AD I MDU)

//True Copy//

Sub Assistant Registrar

To

- 1.The Deputy Inspector General Of Prison,
Vellore Range,
Vellore-2.
- 2.The Superintendent of Prison,
Central Prison, Vellore-2.
3. The Public Prosecutor, High Court, Madras.
4. The Inspector of Police,
Palacode Police Station,
Dharmapuri District.

RS/ASR

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