

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MS.JUSTICE V.M.VELUMANI

H.C.P.No.664 of 2020

Samsunisha Petitioner/Wife of the detenue

Vs

The State represented by its

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

2.The Additional Director General of Prison,
Coimbatore Zone,
Coimbatore - 641018.

3.The Superintendent,
Central Prison,
Coimbatore - 641018.

... Respondents

PRAYER : Habeas Corpus 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 1 month to the detenu, Mohammad Ansari, S/o.Mohammad Sheik, aged about 49 years, Convict No.13875, detained at Central Prison, Kovai.

For Petitioner : Dr.S.Manoharan.

For Respondents: Mrs.M.Prabhavathi,
Additional Public Prosecutor.

O R D E R

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

The matter was heard through "Video Conferencing".

2.This Petition has been filed by the wife of the Convict to grant one month leave to her husband who has been convicted to undergo life imprisonment in Coimbatore Serial Bomb Blast Case,

to solve his daughter's matrimonial home disputes and also to take care of the convict's ailing mother who is suffering from Cancer. It is seen from the records that the convict is inside the prison for more than 20 years.

3.Heard Dr.S.Manoharan, learned Counsel appearing for the Petitioner and Mrs.M.Prabhavathi, learned Additional Public Prosecutor appearing for the Respondents.

4.The facts are not disputed by the learned Additional Public Prosecutor. Further, the Probation Officer would also submit a report that there is no adverse remarks against the convict. Taking into consideration of the fact that there is a dispute between the convict's daughter and her husband and also the convict's mother is suffering from Cancer, it is appropriate to grant 21 days leave to the convict.

5.Therefore, the convict viz., Mohammad Ansari, S/o.Mohammad Sheik, aged about 49 years, Convict No.13875, detained at Central Prison, Kovai, is directed to be released on 15.07.2020 at 11 a.m., with police escort and he is directed to be brought back to prison on 04.08.2020 at 5 p.m.

6.The Jail Authorities, during the said period, shall provide proper escort to the convict, in order to ensure his safety and security. They shall also impose suitable conditions to that effect and the convict should also abide by the conditions to be imposed by the authorities concerned.

7.Accordingly, this petition is allowed. Post the matter for reporting compliance on 05.08.2020.

Sd/-

Assistant Registrar

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सत्यमेव जयते

Sub Assistant Registrar

To

1.The Sessions Judge,
Coimbatore.

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

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3.The Additional Director General of Prison,
Coimbatore Zone,
Coimbatore - 641018.

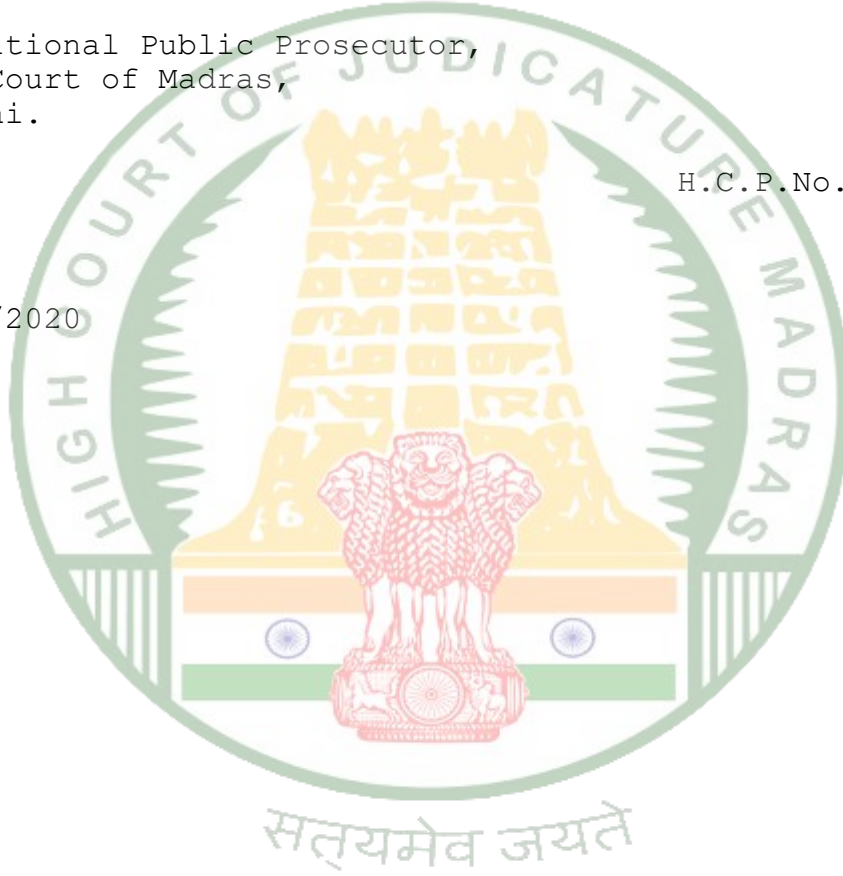
4.The Superintendent,
Central Prison,
Coimbatore - 641018.

5.The Joint Secretary to Government,
Public(Law & Order),
Fort Saint George, Chennai - 9.

6.The Additional Public Prosecutor,
High Court of Madras,
Chennai.

H.C.P.No.664 of 2020

mr[co]
srg 06/08/2020



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