

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2020

CORAM :

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

H.C.P.NO.728 OF 2020

K.Ragavi,
W/o.M.A.Kannan,
No.5, West Street, Amman Patti,
Nagarampatti, (Post)
Sivagangai District

... Petitioner/Wife of the
Detenue

Vs.

1. The State of Tamil Nadu
Rep. by the Secretary to Government
Home, Prohibition and Excise Department
Secretariat, Chennai-600 009.
2. The State rep. By
The Additional Director General of Prisons,
State Prisons H.Q, Egmore,
Chennai-600 008.
3. The Superintendent of Prison
Central Prison,
Puzhal -1,
Chennai 600 066.
4. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai.
5. The State rep. By
The Inspector of Police,
SRMC Police Station,
Chennai.
(Crime No.440/2004)

.. Respondents

PRAYER:

This Petition is filed under Article 226 of the Constitution of India for issuance of Writ of Habeas Corpus directing the respondents herein to grant leave for 30 days to the

petitioner's husband M.A. Kannan, (Convict No. 1332) S/o. Athinamilagi, aged about 44 years, detained at Central Prison Puzhal - I, and to release him on 30 days leave for his parents medical treatment.

For Petitioner : Mr.G.Pavendhan

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

ORDER

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

The matter is heard through video-conferencing.

2. The wife of the detenu has filed this petition seeking leave for 30 days to the detenu as the convict's mother passed away yesterday i.e., 14.07.2020.

3. When the matter is called today, Mrs. M. Prabhavathi, learned Additional Public Prosecutor appearing on behalf of the respondents would submit that the jail authorities itself have granted five days leave to the convict, till 05.00 P.M on 19.07.2020 and the detenu was released yesterday (14.07.2020) itself.

4. Heard Mr.G.Pavendhan learned counsel appearing for the petitioner and Mrs.M.Prabhavathi, learned Additional Public Prosecutor appearing for the respondents.

5. This Court is of the opinion that five days leave granted by the jail authorities is not sufficient for a person to do his religious rituals for the departed soul. Hence, this Court is inclined to grant further 15 days of leave to the detenu till 03.08.2020 to attend the religious rituals. Therefore, the convict viz., M.A.Kannan, (Convict No. 1332) S/o.Athinamilagi, aged about 44 years, is granted leave from 19.07.2020 to 03.08.2020 without police escort and is directed to return back to prison on 03.08.2020 at 05.00 P.M. Further, it is directed that during the leave period, the convict shall report before the jurisdictional Police Station (Sivagangai), once in five days at 11.00 a.m. Accordingly, this petition is allowed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gsa

To

1. The Secretary to Government
The State of Tamil Nadu
Home, Prohibition and Excise Department
Secretariat, Chennai-600 009.
2. The Additional Director General of Prisons,
State Prisons H.Q, Egmore,
Chennai-600 008.
3. The Superintendent of Prison
Central Prison,
Puzhal -1, Chennai 600 066.
4. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai.
5. The Inspector of Police,
SRMC Police Station,
Chennai.
6. The Joint Secretary to Government,
Public (Law & Order),
Fort St.George, Chennai-9.
7. The Public Prosecutor,
High Court,
Chennai.

H.C.P.No.728 of 2020

SSI (CO)
CS/30/07/2020

सत्यमेव जयते

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