

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.06.2020

CORAM

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HON'BLE MRS.JUSTICE PUSHPA SATHYANARAYANA

HABEAS CORPUS PETITION No.732 of 2020
(Heard through Video Conferencing)

V.Sangeetha
Aged about 32 years,
W/o.N.Venkatesan,
Mariamman Koil Street,
Adasal Village, Kolathur Post,
Marakkanam Taluk,
Villupuram District. ... Petitioner

-vs-

- 1.The State of Tamil Nadu,
Rep., by its Additional Chief Secretary to Government,
Home (IV) Department,
Fort St. George, Chennai.
- 2.The Inspector General of Prisons,
Prisons Department,
Whannels Road,
Egmore, Chennai.
- 3.The Superintendent of Prisons,
Central Prison,
Cuddalore.
- 4.The Superintendent of Prisons,
Central Prison,
Puzhal. ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Habeas Corpus to direct the first respondent to grant 4 weeks ordinary leave to the petitioner's husband Mr.N.Venkatesan, (undergoing sentence as Saravanan L.C.No.13263) presently serving his sentence of life imprisonment in Central Prison, Cuddalore, currently at Central Prison, Puzhal, on special training, Chennai.

For Petitioner : Mr.E.Adith Vijay

For Respondents: Ms.Prabavathi Ram, APP

ORDER

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

Heard Mr.E.Adith Vijay, learned counsel for the petitioner and Ms.Prabavathi Ram, learned Additional Public Prosecutor for the respondents.

2.This petition has been filed by Tmt.V.Sangeetha for a Writ of Habeas Corpus to direct the first respondent to grant ordinary leave for a period of four weeks for her husband, whose name is stated to be Mr.N.Venkatesan, who is undergoing sentence in the name of Saravanan - L.C.No.13263. The petitioner's husband is presently confined to the Central Prison, Cuddalore. Earlier, the petitioner's husband was tested positive for COVID-19 and it is represented by the learned counsel for the petitioner that he has received treatment and as of now, he has been tested negative and he has been sent back to the Central Prison, Cuddalore. Therefore, the petition may be considered and he may be granted ordinary leave.

3.It is submitted that the convict's mother is aged and the convict has three children, who are school going children and he requires urgent financial assistance to pay the school fees, etc., and therefore, seeks for ordinary leave.

4.Considering the pandemic, which is spreading fast throughout the State of Tamil Nadu, we are of the view that it would be not safe not only for the convict, but also his family to consider any request for grant of ordinary leave. Therefore, we close this petition and give liberty to the petitioner to file a fresh petition after the effect of the pandemic ebbs down.

5.With the above liberty, this Habeas Corpus Petition stands closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Additional Chief Secretary to Government,
The State of Tamil Nadu,
Home (IV) Department,
Fort St. George, Chennai.

2.The Inspector General of Prisons,
Prisons Department,
Whannels Road,
Egmore, Chennai.

3.The Superintendent of Prisons,
Central Prison,
Cuddalore.

4.The Superintendent of Prisons,
Central Prison,
Puzhal.

5.The Joint Secretary to Government,
Public (L&O) Fort St.George,
Chennai-9.

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

Gj(co)
krd 26/6

H.C.P.No.732 of 2020



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