

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.05.2020

Coram

THE HON'BLE MR. JUSTICE M.M.SUNDRESH
AND
THE HON'BLE MS. JUSTICE P.T. ASHA

H.C.P. No. 754 of 2020

Mahabooba Jailani

... Petitioner

vs

1. The Home Secretary,
Home Department (Prison),
Secretariat,
Fort St. George,
Chennai - 600 009.
mawssec@tn.gov.in

2. The Director General of Prisons and
Inspector General of Prisons,
Whannels Road, Egmore,
Chennai - 8.
tnprison@gmail.com

3. The Superintendent of Prison,
Puzhal Central Prison - I,
Puzhal - 600 066.
centralprison1@gmail.com

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the respondents to grant one month leave without escort to the detenu namely Mr.M.Mohamed Ali, S/o.Mohamed Yunus, now confined in Puzhal Central Prison - 1, in pursuance of email communication dated 15.04.2020 in the light of the direction given by the Hon'ble Apex Court In Re: Contagion of COVID-19 Virus In Prisons [Suo Motu Writ Petition (Civil) 01 of 2020].

For Petitioner ... Mr.M.Mohammed Saifullah

For Respondents ... Mr.R.Prathap Kumar

Addl.Public Prosecutor

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

Seeking a direction to the respondents to grant one month leave without escort to the detenu namely Mr.M.Mohamed Ali, S/o.Mohamed Yunus, now confined in Puzhal Central Prison - 1, in pursuance of email communication dated 15.04.2020 in the light of the direction given by the Hon'ble Apex Court In Re: Contagion of COVID-19 Virus In Prisons [Suo Motu Writ Petition (Civil) 01 of 2020], the present Habeas Corpus Petition has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3.Though a larger prayer has been sought for, learned counsel appearing for the petitioner submits that it would be suffice if the representation made by way of e-mail communication dated 15.04.2020 is directed to be considered by the second respondent in view of the decision of the Apex Court in In Re: Contagion of COVID-19 Virus In Prisons [Suo Motu Writ Petition (Civil) 01 of 2020].

4.Learned Additional Public Prosecutor appearing for the respondents submits that the representation so made as aforesaid would be considered within a reasonable time.

5.Considering the above, a direction is issued to the second respondent to pass orders on the e-mail communication dated 15.04.2020 made by the petitioner on behalf of the detenu, who is her husband, within a period of two weeks from the date of receipt of a copy of this order.

6.With the above direction, this Habeas Corpus Petition stands disposed of.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

raa/mmi/ssm

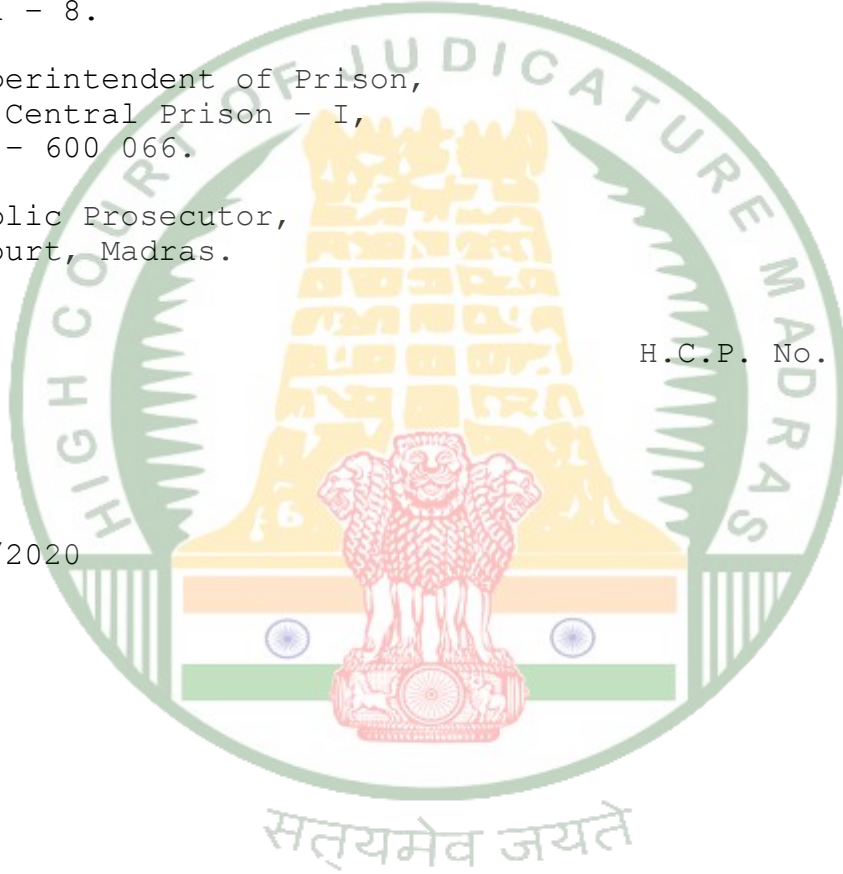
To

1. The Home Secretary,
Home Department (Prison),
Secretariat,
Fort St. George,
Chennai - 600 009.
2. The Director General of Prisons and
Inspector General of Prisons,
Whannels Road, Egmore,
Chennai - 8.
3. The Superintendent of Prison,
Puzhal Central Prison - I,
Puzhal - 600 066.
4. The Public Prosecutor,
High Court, Madras.

H.C.P. No. 754 of 2020

MG (CO)

KKV/13/07/2020



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