



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.06.2020

CORAM

THE HONOURABLE MR. JUSTICE N. KIRUBAKARAN
AND
THE HONOURABLE MRS. JUSTICE R. HEMALATHA

H.C.P. No. 756 of 2020

K.V. Komarasamy ..Petitioner
Vs.

1. The Government of Tamil Nadu,
rep. by its Secretary to Government,
Home (Prison -IV) Department,
Fort St. George,
Madras - 600 001.
2. The Superintendent of Prisons,
Central Prison, Palayamkottai. ..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Habeas Corpus directing the respondents herein to produce the detenu Mr.Balu @ Dhanapal, now confined in Central Prison, Palayamkottai before this Hon'ble Court and direct the respondents to grant parole to the detenu for a period of 6 weeks without police escort in pursuant to the petitioner's representation dated 02.04.2020 via email to the respondents.

For Petitioner :: Mr.E. Aadith Vijay
For Respondents:: Mrs.M. Prabhavathi,
Addl. Public Prosecutor

O R D E R
(Order of the Court was made by N. KIRUBAKARAN,J.)

The matter is heard through "Video Conferencing".

2. The present Habeas Corpus Petition has been filed by the father of the detenu for a direction to the respondents herein to produce the detenu Mr.Balu @ Dhanapal, now confined in Central Prison, Palayamkottai before this Hon'ble Court and direct the respondents to grant parole to the detenu for a period of 6 weeks without police escort in pursuant to the petitioner's representation dated 02.04.2020 via email to the respondents.



3. Mr.Aadith Vijay, learned counsel for the petitioner would submit the detenu's mother is an aged person and she is suffering from rheumatoid arthritis and she is undergoing treatment in a hospital at Erode. The detenu's father, the petitioner herein is also aged and there is nobody to take care of them. Hence, the present Habeas Corpus Petition.

4. Mrs.M. Prabhavathi, learned Additional Public Prosecutor would submit that the petitioner's son had already been granted leave 43 times without escort and moreover, there is no ground made out for grant of parole.

4. Considering the fact that the petitioner's son/detenu had already been granted leave 43 times and it is also not advisable to release him on parole during this pandemic situation as no transportation facilities are available, the Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar (CS-)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government,
Home (Prison -IV) Department,
Fort St. George,
Madras - 600 001.
2. The Superintendent of Prisons,
Central Prison, Palayamkottai.
3. The Public Prosecutor,
High Court, Madras.

Rsk(co)

krd 8/7

H.C.P. No. 756 of 2020