

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2020

Coram

The Hon'ble Mr. Justice **M.M.SUNDRESH**
and
The Hon'ble Mr. Justice **D.KRISHNAKUMAR**

H.C.P. No. 864 of 2020

B.Chellammal ... Petitioner

-VS-

- 1.The State of Tamil Nadu
Rep by the Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-600 009.
- 2.The DGP & Inspector General of Prison,
Gandhi Irvin Road, Egmore, Chennai 600 008.
- 3.The Superintendent of Prison Central Prison-1,
Puzhal, Chennai-66. ... Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of habeas corpus to direct the respondents to consider the petitioner's representation dated 01.06.2020 and release her husband namely A.Balu S/o Azhagarsami, Ct.No.2438, aged about 54 years, now confined in the Central Prison-1, Puzhal, Chennai 600 066, on parole.

For Petitioner : Mr.P.Pugalenth

For Respondents : Ms.M.Prabhavathi,
Addl. Public Prosecutor

ORDER

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

The petitioner is the wife of the convict, who is undergoing sentence for two years. Seeking parole, the present habeas corpus petition has been filed by the petitioner.

2.We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor.

3.Learned counsel appearing for the petitioner submitted that in tune with the order passed by the Apex Court recently, and the petitioner, being convicted for the offence punishable under Section 109 read with 201 of Indian Penal Code, for a period of two years and having undergone imprisonment already for more than a year, will have to be considered for parole.

4.Learned Additional Public Prosecutor, on instructions, submitted that a Committee has been constituted accordingly and the case of the petitioner's husband was considered and not recommended.

5.We do not wish to say anything on merit. Inasmuch as the petitioner has made a request by way of a representation dated 01.06.2020 for parole of her husband, we direct the respondents to consider the same and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

6.In view of the above, the habeas corpus petition stands disposed of.

(M.M.S.,J.) (D.K.K.,J.)
22.06.2020

Index: Yes/No
raa/mmi/ssm

To

- 1.The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-600 009.
- 2.The DGP & Inspector General of Prison,
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**M.M.SUNDRESH, J.
and
D.KRISHNAKUMAR, J.**

raa/mmi/ssm

3.The Superintendent of Prison Central Prison-1,
Puzhal, Chennai-66.

4.The Public Prosecutor,
High Court, Madras.



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