

In the High Court of Judicature at Madras

Dated : 12.6.2020

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

And

The Honourable Mrs.Justice PUSHPA SATHYANARAYANA

Crl.M.P.No.4152 of 2020 in HCP.No.2380 of 2019

K.Pushpa

...Petitioner/Petitioner

Vs

1.State of Tamil Nadu, Rep by
the Secretary to Government,
Home, Prohibition & Excise Department,
Secretariat, Chennai-9.

2.The Director General of Police &
Inspector General of Prisons,
Gandhi Irwin Road, Egmore,
Chennai-8.

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

...Respondents/Respondents

Prayer in HCP : PETITION under Article 226 of The Constitution of India seeking issue a Writ of Habeas Corpus or a direction to the respondents to transfer the petitioner's husband, namely, Janarthanan, S/o.Ananda Pothy, aged 61 years, convict prisoner, now taking treatment in Government Stanley Hospital, Chennai, to the Private Hospital.

Prayer in Crl.M.P. : PETITION filed seeking a direction to the respondents to consider the petitioner's representation dated 08.6.2020 and extend the ordinary leave for a period of 30 days from 14.6.2020 to 13.7.2020 to her husband Janardhanan, S/o.Ananda Pothy, aged 61 years, convict prisoner, now taking treatment on leave.

For Petitioner : Mr.P.Pugalenth

For State

: Ms.Prabhavathi Ram, APP

ORDER

Order of the Court was made by T.S.SIVAGNANAM, J.

We have heard Mr.P.Pugalenth, learned counsel for the petitioner and Ms.Prabhavathi Ram, learned Additional Public Prosecutor appearing for the State.

2. This petition has been filed by the petitioner seeking a direction to the respondents to consider her representation dated 08.6.2020 and extend the ordinary leave to her husband Mr.Janardhanan, S/o.Ananda Pothy, aged 61 years, convict prisoner for a period of 30 days from 14.6.2020 to 13.7.2020.

3. It is seen from the material papers placed before this Court that orders have been passed successively by the Hon'ble Division Benches of this Court and for nearly seven months, the petitioner's husband is on parole. The health condition of the petitioner's husband is not in dispute. He suffered a paralytic stroke and he is virtually bed ridden and his wife is taking care of him.

4. Considering the present situation, this Court is of the view that the ordinary leave already granted to the petitioner's husband can be extended till 13.7.2020.

5. Accordingly, the above criminal miscellaneous petition is disposed of by extending the ordinary leave already granted to the petitioner's husband Mr.Janardhanan, S/o Ananda Pothy till 13.7.2020 by making it clear that he shall surrender before the Prison Authorities on 13.7.2020 at 5 PM.

Sd/-

Assistant Registrar (CS-VIII)

//True copy// सत्यमेव जयते

Sub Assistant Registrar

RS/gg

To

1.State of Tamil Nadu, Rep by
the Secretary to Government,
Home, Prohibition & Excise Department,
Secretariat, Chennai-9.

2.The Director General of Police &
Inspector General of Prisons,
Gandhi Irwin Road, Egmore,
Chennai-8.

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

4. The Public Prosecutor,
High Court, Madras

Crl.M.P.No.4152 of 2020
In HCP.No.2380 of 2019

AK(CO)
GMY(15/06/2020)



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