

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2020

Coram

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

H.C.P. No. 968 of 2020

S.Thangam, F/A 58  
Wife of Subash  
Door No.223, Subramaniam Kovil Street  
Chinna Kanndi Kuppam  
Virudhachalam Taluk  
Cuddalore - 606 001. .... Petitioner

-vs-

1. The Home Secretary  
Home Department  
Secretariat  
Fort St. George  
Chennai - 600 009.
2. The Additional Director General of Police (Prison)  
Whannels Road  
Egmore, Chennai - 600 008.
3. The Superintendent of Prison  
Central Prison, Cuddalore. .... Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of habeas corpus directing the respondents to grant parole for thirty days to the petitioner's son named Manikandan @ Kalaimani Son of Subash (Convicted Prisoner No.14935) aged 37 years, now confined in the Central Prison, Cuddalore before this Hon'ble Court and further directing the respondents to consider him immediately for the parole.

For Petitioner : Mr.K.Amirthalingam  
For Respondents : Ms.M.Prabhavathi,  
Addl. Public Prosecutor

ORDER

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

The petitioner seeks ordinary leave for the convict - Manikandan @ Kalaimani to take care of his children.

2.Learned Additional Public Prosecutor appearing for the respondents submitted that in terms of the Prison Rules, the convict being convicted for number of offences including 392 IPC, is not entitled for ordinary leave.

3.In view of the submission made by the learned Additional Public Prosecutor, we are not inclined to grant ordinary leave to the convict both on the question of law and on merit. The habeas corpus petition stands dismissed. However, insofar as the emergency leave is concerned, liberty is given to the petitioner to file appropriate application, if so advised.

Sd/-

Assistant Registrar(CS IIII)

//True Copy//

Sub Assistant Registrar

raa/mmi/ssm

To

1. The Home Secretary  
Home Department  
Secretariat  
Fort St. George  
Chennai - 600 009.

2. The Additional Director General of Police (Prison)  
Whannels Road  
Egmore, Chennai - 600 008.

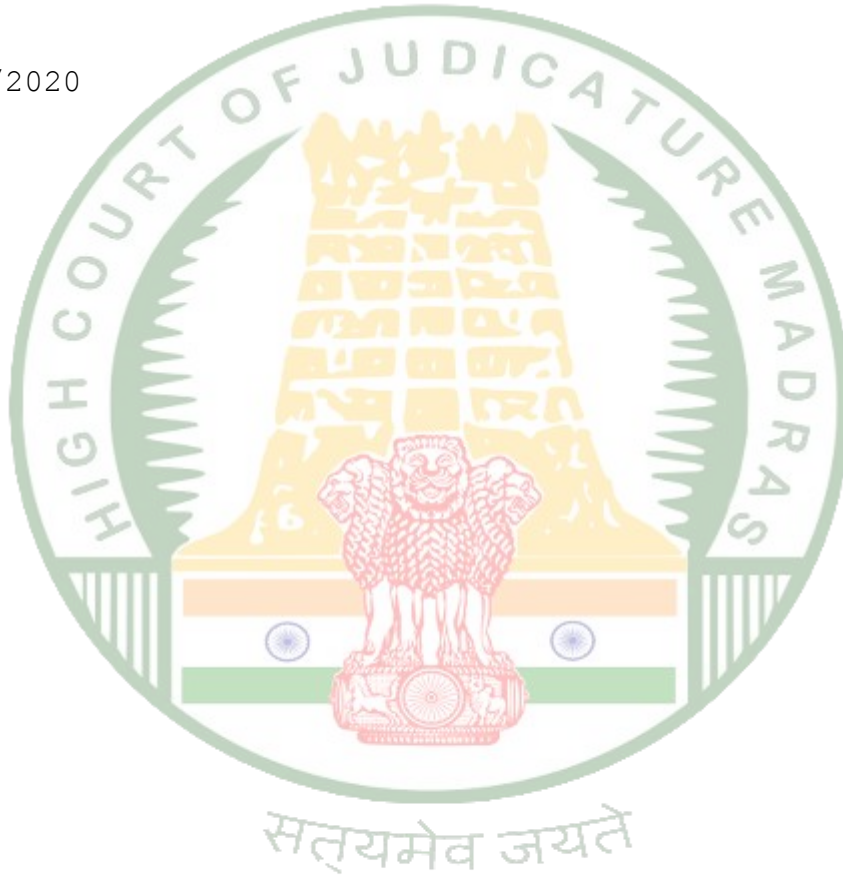
3. The Superintendent of Prison  
Central Prison, Cuddalore.

4. The Joint Secretary to Government,  
Public(Law & Order),  
Fort Saint George, Chennai - 9.

5. The Public Prosecutor,  
High Court, Madras.

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