

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 09.07.2020**

**CORAM :**

**THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN**

**and**

**THE HONOURABLE MS.JUSTICE V.M.VELUMANI**

**Crl. M.P. No. 4426 of 2020**

**in**

**H.C.P. No. 1115 of 2020**

Anees Unnissha, Female aged 34 years,  
W/o. Sathiq Basha,  
26/27, Elephant Tank 2<sup>nd</sup> Street,  
Ice House, Chennai 600 014.

..Petitioner/Wife of the Detenue

**Vs.**

1.The Deputy Inspector General of Prison,  
Prison department,  
Gandhi Irwin Road,  
Egmore, Chennai 600 008.

2.The Superintendent of Prison,  
Central Prison,  
Vellore.

3.The Secretary to Government,  
Home (Prison) Department,  
Secretariat, Chennai 9.

..Respondents

**PRAYER :** Criminal Miscellaneous Petition filed under article 226 of the Constitution of India praying to grant an order extending the Emergency Leave granted in H.C.P. No. 1115 of 2020 beyond 09.07.2020 for another 30 days, to the husband of the petitioner herein, viz., Sadiq Basha, S/o. Saleem Basha, (Convict Prisoner No. 3315) to attend to his father during emergency period via emergency leave.

For Petitioner : Mr.R. Rajan

For Respondents : Mrs.M.Prabhavathi,  
(Additional Public Prosecutor)

## **ORDER**

(Order of the Court was made by N.KIRUBAKARAN, J.)

The matter is heard through video-conferencing.

2. This petition has been filed to extend the emergency leave granted to the petitioner's husband, for a further period of 30 days from 09.07.2020 on the ground that the detenu could not make arrangements of funds for medical expenses of his father.

3. It is seen from the records that the petitioner's husband/detenu was already released on 03.07.2020, by the order of this Court dated 02.07.2020 and he is on parole which expires today i.e. 09.07.2020. It is brought to the notice of this Court that between the year 2019 and 2020, the petitioner's husband has availed leave for seven times, apart from the present one. Therefore, totally he has sought Emergency Leave for eight times including the present one. Though a medical certificate dated 05.07.2020, from a Hospital viz., Olive Heart Clinic has been produced stating that the father of the

detenue is suffering from CAD, no other document has been annexed to support her contention. Taking into consideration of the fact that the convict has already availed emergency leave for two times on the ground of making arrangements for the treatment of his father, this Court is not inclined to extend the leave to the petitioner's husband.

4. In the result, this Petition stands dismissed.

(N.K.K., J.) (V.M.V., J.)

09.07.2020

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To

1.The Deputy Inspector General of Prison,  
Prison department,  
Gandhi Irwin Road,  
Egmore, Chennai 600 008.

2.The Superintendent of Prison,  
Central Prison, Vellore.

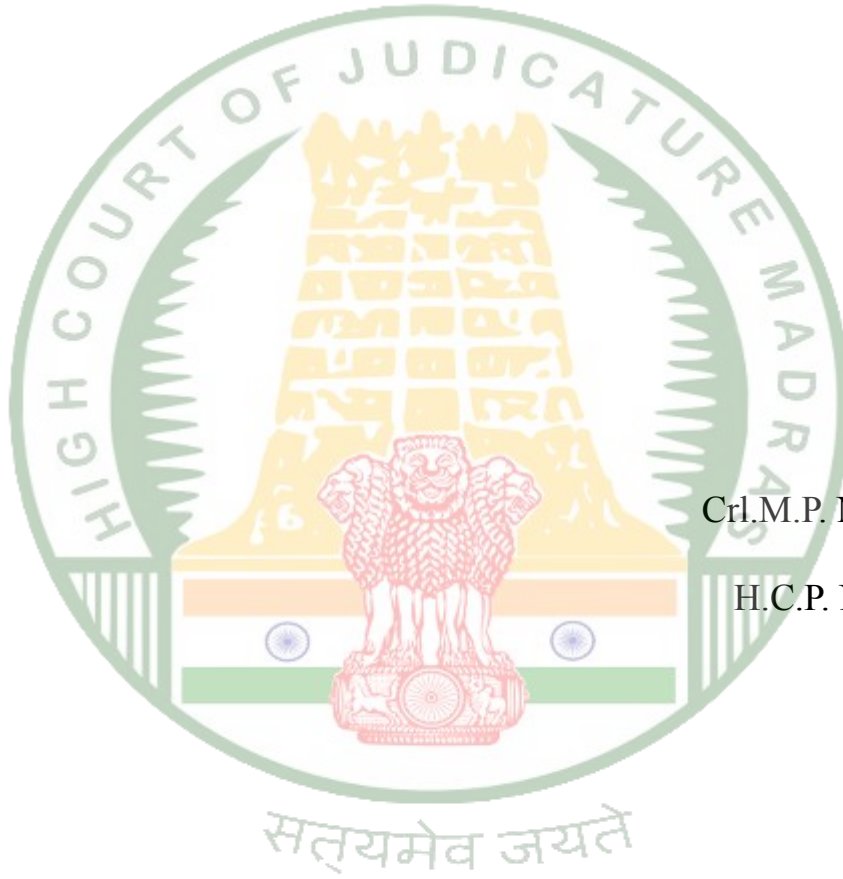
3.The Secretary to Government,  
Home (Prison) Department,  
Secretariat, Chennai 9.

4.The Public Prosecutor,  
High Court, Madras.

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N.KIRUBAKARAN, J.  
and  
V.M.VELUMANI, J.

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