

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.10.2020

Coram

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

H.C.P. No. 1280 of 2020

Ganga

... Petitioner

vs

1.The Deputy Inspector General of Prisons,  
Vellore Range,  
Vellore.

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

3.The National Commission for Women,  
Plot.21, Jasola Institutional Area,  
New Delhi - 110 025.

4.The State Commission for Women,  
PWD Estate, Chepauk,  
Triplicane, Chennai,  
Tamil Nadu - 600 005.

(R3 and R4 impleaded suo motu  
as per order dated 13.08.2020)

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus directing the respondents to consider representation dated 10.10.2019 and to grant 30 days ordinary leave to the petitioner's husband namely Selvan, S/o.Dhanakotti, aged about 58 years, Convict Prisoner, Ct.No.3, now confined in the Central Prison, Vellore.

For Petitioner .. Mr.P.Pugalenth

For Respondents.. Mr.R.Prathap Kumar  
Addl. Public Prosecutor

ORDER

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

The petitioner is the wife of the convict and she has filed this habeas corpus petition seeking thirty days ordinary leave.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. Learned Additional Public Prosecutor, on instructions, submitted that the detenu was granted leave in the year 1988. However, he did not return and with some difficulty, he was secured after two years. Once again, the detenu was granted thirty days leave on 02.05.1992. He was again recaptured on 22.03.2017, after twenty five years.

4. The aforesaid conduct of the convict will not entitle him to get favourable order from the Court. There is absolutely no guarantee that the convict would return.

5. In such view of the matter, we are not inclined to grant the prayer as sought for by the petitioner. Accordingly, the habeas corpus petition stands dismissed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1.The Deputy Inspector General of Prisons,  
Vellore Range,  
Vellore.

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

3.The National Commission for Women,  
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Tamil Nadu - 600 005.

5.The Public Prosecutor,  
High Court, Madras.

H.C.P. No. 1280 of 2020

A.SK(02/12/2020)



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