

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MS.JUSTICE V.M.VELUMANI

H.C.P. No. 1279 of 2020

Fathima (F/55 years),
W/o Mohammed Sheriff,
No.67, Al Ameen Colony,
2nd Street,
South Ukkadam,
Coimbatore.

... Petitioner/ Mother of the detenue

Vs

1.The Government of Tamil Nadu,
Rep. By its Secretary to Government,
Home (Prison IV) Department,
Fort St.George,
Chennai - 600 009.

2.The Additional Director General of Prison,
C.M.D.A. Towers,
Thalamuthu Natarajan Maaligai,
2nd Floor, Gandhi Irwin Road,
Egmore, Chennai 8.

3.The Superintendent of Central Prison,
Coimbatore.

... Respondents

PRAYER : HCP filed under Article 226 of the Constitution of India praying for issuance of Writ of Habeas Corpus, directing the respondents to grant ordinary leave without escort for 30 days to the detenu, S. Sandhu Mohammed, S/o.Mohammad Sheriff, aged about 42 years, life convict No. 10708, detained at Central Prison, Coimbatore, on the basis of petitioner's representation dated 04.07.2020.

For Petitioner : Mr. A.P. Sathyamurthy

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

O R D E R
(Order of the court was made by N.KIRUBAKARAN.J.,)

The matter is heard through "Video Conferencing".

2. The Petitioner/mother has filed this petition seeking parole for her son on the ground that her husband/father of the detenu is suffering from cancer and he has undergone surgery.

3. Heard Mr.A.P.Sathyamurthy, learned Counsel appearing for the Petitioner and Mrs. M. Prabhavathi, learned Additional Public Prosecutor appearing for the Respondents.

4. The Probationary Officer's report dated 05.08.2020 would confirm that the petitioner's father who is aged about 72 years is suffering from Cancer and he underwent surgery on 06.06.2020. Further, chemotherapy is being given to the father of the detenu. In view of the above circumstances, this Court is inclined to grant 30 days leave to the convict.

5. Therefore, the convict viz., S. Sandhu Mohammed, S/o.Mohammad Sheriff, aged about 42 years, life convict No. 10708, detained at Central Prison, Coimbatore, is directed to be released on 14.08.2020 at 11 A.M., with police escort and he is directed to be brought back to prison on 12.09.2020 at 5 P.M.

6. The Jail Authorities, during the said period, shall provide proper escort to the convict, in order to ensure his safety and security. They shall also impose suitable conditions to that effect and the convict should also abide by the conditions to be imposed by the authorities concerned.

7. Accordingly, this petition is allowed. Post the matter for reporting compliance on 14.09.2020.

Sd/-
Assistant Registrar

//True Copy//
Sub Assistant Registrar

gsa
To
1.The Secretary to Government,
Home (Prison IV) Department,
Fort St.George, Chennai - 600 009.

2.The Additional Director General of Prison,
C.M.D.A. Towers,
Thalamuthu Natarajan Maaligai,
2nd Floor, Gandhi Irwin Road,
Egmore, Chennai 8.

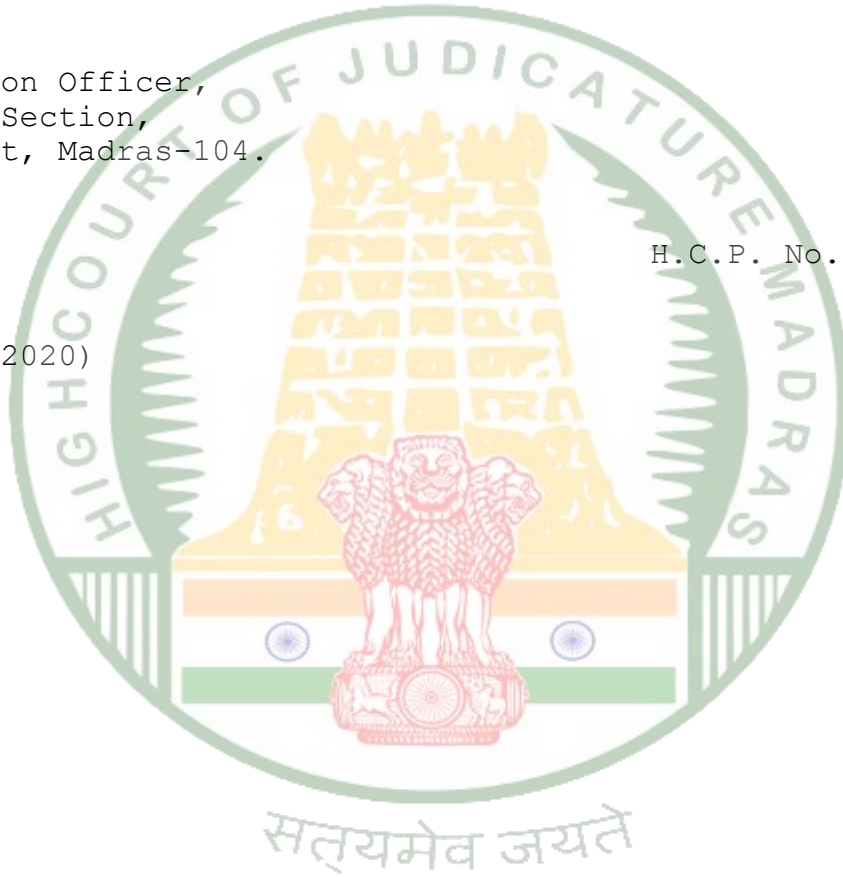
3.The Superintendent of Central Prison,
Coimbatore.

4.The Additional Public Prosecutor,
High Court of Madras,
Chennai.

Copy to:
The Section Officer,
Criminal Section,
High Court, Madras-104.

H.C.P. No. 1279 of 2020

EV(CO)
CB(21/08/2020)



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