

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2020

CORAM :

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

H.C.P. No. 1298 of 2020

K. Parimegala (aged 34 years),
W/o. Krishnamoorthi
No.2/8, Chinna Latheri,
B.N. Palayam,
Latheri,
Kadpadi Taluk,
Vellore District.

... Petitioner/ Wife of Detenu

Vs

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

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

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Habeas Corpus, directing the respondents to grant 8 days emergency leave by considering the representation dated 23.07.2020 to petitioner's husband namely Krishnamoorthi, S/o. Rajendran, aged 42 years, Convict No. 2864, confined in the Central Prison, Vellore.

For Petitioner : Ms. S. Nadhiya

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, who is the wife of the convict has filed this petition, seeking emergency leave to look after the convict's ailing mother.

3. Heard Ms.S.Nadhiya, learned Counsel appearing for the Petitioner and Mrs.M.Prabhavathi, learned Additional Public Prosecutor appearing for the respondents.

4. When the matter is called today, Mrs.M.Prabhavathi, learned Additional Public Prosecutor appearing on behalf of the respondents would submit that earlier, three days emergency leave has been granted to the convict from 10.08.2020. However, Ms.S.Nadhiya, learned counsel appearing on behalf of the petitioner would submit that the convict's daughter has attained puberty and seeks leave for five more days.

5. Taking into consideration the submissions made by the learned counsel for the petitioner as well as the learned Additional Public Prosecutor appearing on behalf of the respondents, this Court extends the leave till 19.08.2020. The petitioner's husband viz., Krishnamoorthi, S/o. Rajendran, aged 42 years, Convict No.2864, shall surrender before the Central Prison, Vellore on 19.08.2020 at 5 pm and he shall comply with the earlier conditions imposed, if any. Accordingly, this petition is allowed.

6. For reporting compliance, call the matter on 20.08.2020.

Sd/-
Assistant Registrar(CCC)

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सत्यमेव जयते Sub Assistant Registrar

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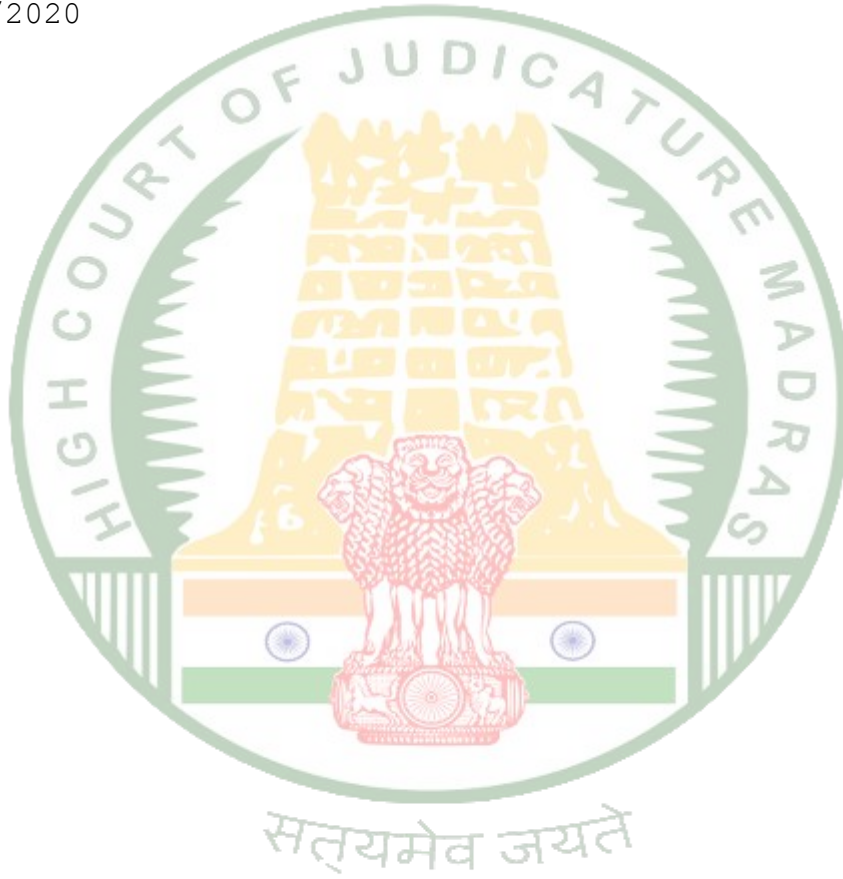
1.The Deputy Inspector General of Prisons,
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2.The Superintendent of Prisons,
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3.The Additional Public Prosecutor,
High Court of Madras,
Chennai.

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