

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2020

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

H.C.P. No. 1319 of 2020

Sakila Manoharan

..Petitioner/wife of detenue

Vs.

The State represented by its

1. The Secretary to Govt. Of Tamil Nadu,
Department of Home, Fort St. George,
Chennai - 600 009.
2. The Deputy Inspector General of Prison,
Salem Zone, Salem Central Prison,
Salem.
3. The Superintendent,
Central Prison,
Salem -7.

..Respondents

Prayer: Petition under Article 226 of the Constitution of India
praying for issue of a Writ of Habeas Corpus directing the
respondents to grant leave for 30 days without escort to the
detenu R. Manoharan, S/o. Rajalingam, aged about 52 years life
convict prisoner, bearing Convict No. 8610 detained at Central
Prison, Salem.

For Petitioner :: Dr.S. Manoharan

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

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O R D E R
(Order of the Court was made by M.M. SUNDRESH, J.)

The wife of the detenu has filed the present Habeas
Corpus Petition seeking a direction to the respondents to grant
30 days leave without escort to the convict on the ground that

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he has to undergo cataract surgery in his right eye.

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

3. Considering the medical ground on which leave is sought, we are inclined to direct the respondents to grant emergency leave to the convict for 6 days commencing from 03.12.2020 with minimum escort subject to the usual conditions that can be imposed by the respondents. The convict shall be released from the prison at 10.00 a.m. on 03.12.2020 and he shall return back to the prison at or before 05.00 p.m. on 08.12.2020. We make it clear that the day on which the convict is released from the prison and the day on which he is readmitted will have to be excluded. This Habeas Corpus Petition is disposed of accordingly with the above directions.

4. Post the matter for "reporting complaine" on 09.12.2020.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to Govt. Of Tamil Nadu,
Department of Home, Fort St. George,
Chennai - 600 009.

2.The Deputy Inspector General of Prison,
Salem Zone, Salem Central Prison,
Salem.

3.The Superintendent,
Central Prison,
Salem -7.

4.The Public Prosecutor,
High Court, Madras.

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