

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2020

CORAM :

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

H.C.P. No.1326 of 2020

Mrs. D. Bagyam, F/A. 56 years,
W/o. Doss @ Dulasidoss,
Door No.6, Madhura Manikkam Street,
Edamalaipatti Pudhur,
Trichy.

...Petitioner/Mother of the Detenu

Vs.

- 1.The Home Secretary (Prison),
Secretariat, Fort St. George,
Chennai 600 009.
- 2.The Additional Director General of Prison and
Inspector General of Prison, Whannels Road,
Egmore, Chennai 600 008.
- 3.The Deputy Inspector General (Trichy Range),
Office of the DIG of Prison,
Trichy 23.
- 4.The Superintendent of Prison,
Central Prison at Trichy,
Trichy - 20.

...Respondents

PRAYER: This Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Habeas Corpus, directing the respondents to grant one month leave to the detenu namely D. Karthikeyan S/o. Doss @ Dulasidoss (Life convict Prisoner CT No-21122) aged about 39 years in pursuant of the Email communication dated 28.07.2020.

For Petitioner : Mr. M. Mohamed Saifulla

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 mother of the detenu has filed this petition seeking one month parole for the detenu viz., D. Karthikeyan S/o. Doss @ Dulasidoss (Life convict Prisoner CT No-21122) aged about 39 years.

3.The petitioner's son was convicted and is undergoing imprisonment in Central Prison, Trichy, for the past 11 years. To arrange funds for the expenses towards case pending before the Hon'ble Supreme Court, parole was sought and the authorities have already granted ordinary leave for 30 days and the same ends on 08.08.2020. In the mean while, the petitioner's son was tested positive for COVID-19, as evident from the discharge summary issued by the Kaveri Hospital. Therefore, he has to be quarantined atleast for a period of 14 days. In the above said circumstances, the present petition has been filed to extend the parole granted by the prison authorities.

4.Heard Mr.M.Mohamed Saifulla, learned Counsel appearing for the Petitioner and Mrs.M.Prabhavathi, learned Additional Public Prosecutor appearing for the Respondents.

5.It is not denied by the respondents that the convict is now suffering from COVID - 19. Further, the hospital records would also prove the same. Therefore, it is not safe for the convict to return to the jail as he would act as a carrier. In those circumstances, this Court is inclined to extend the leave already granted by the Prison Authorities for a further period of 21 days, from 08.08.2020 to 28.08.2020.

6.Therefore, the leave already granted by the Prison Authorities to the convict viz., D.Karthikeyan S/o. Doss @ Dulasidoss (Life convict Prisoner CT No-21122) aged about 39 years, is extended till 28.08.2020, without escort and is directed to return back to prison on 28.08.2020 at 05.00 p.m. Accordingly, this petition is ordered.

For reporting compliance call the matter on 31.08.2020.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

gsa

To

- 1.The Home Secretary (Prison),
Secretariat, Fort St. George,
Chennai 600 009.
- 2.The Additional Director General of Prison and
Inspector General of Prison, Whannels Road,
Egmore, Chennai 600 008.
- 3.The Deputy Inspector General (Trichy Range),
Office of the DIG of Prison,
Trichy 23.
- 4.The Superintendent of Prison,
Central Prison at Trichy,
Trichy - 20.
- 5.The Public Prosecutor,
High Court of Madras,
Chennai.

Copy To

The Section Officer,
Criminal Section, High Court,
Madras.

H.C.P. No. 1326 of 2020

LN(CO)
KKV/14/08/2020



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