

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2020

CORAM :

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

H.C.P. No. 1404 of 2020

Durga Devi, F-37 years,
W/o. Palanisamy,
7/46-8, KAK Nagar,
Government School Backside,
Kanuvai,
Coimbatore.

.. Petitioner/ Wife of the Detenu

Vs.

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

2.The Additional Director General of Prisons,
Thalamuthu Natarajan Maaligai,
2nd Floor, Gandhi Irwin Road,
Egmore, Chennai 8.

3.The Superintendent of Central Prison,
Cuddalore. .. Respondents

PRAYER: This Petition is filed under Article 226 of the Constitution of India for issuance of Writ of Habeas Corpus directing the respondents to grant ordinary leave without escort for 30 days to the detenu namely Palanisamy aged 39 years, Life Convict No. 16133 now confined at Central Prison, Cuddalore.

For Petitioner : Mr. P. Sathyamoorthy

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 wife of the detenu has filed this petition seeking leave for the convict husband for a period of 30 days for the purpose of arranging funds for her daughter who is doing BDS course.

3. Mrs. M. Prabhavathi, learned Additional Public Prosecutor appearing on behalf of the respondents would oppose stating that the detenu was already granted 30 days leave in H.C.P. No.774 of 2020 as per the order passed by this Court on 17.06.2020 and the same was extended for a period of 15 days as per the order passed by this Court on 16.07.2020. In spite of that, again a new reason has been found and present petition has been filed.

4. Heard the parties and perused the materials available on record.

5. Though in the earlier extension petition, the present reason of education of the petitioner's daughter has not been pleaded, taking into consideration of the payment of educational fees to K.S.R. Institute of Dental Science and Research, in the year 2019 and the course is from 2019 to 2023, this Court leniently considers the plea and grants 15 days leave to the detenu from 20.08.2020 to 03.09.2020 so as to enable him to arrange funds for the educational expenses of the petitioner's daughter. Therefore, the convict viz., Palanisamy, aged 39 years, Life Convict No.16133 now confined at Central Prison, Cuddalore, is granted leave from 20.08.2020 to 03.09.2020 and is directed to return back to prison on 03.09.2020 at 05.00 P.M. Accordingly, this petition is ordered.

For reporting compliance, call the matter on 04.09.2020

Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

gsa

To

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

2.The Additional Director General of Prisons,
Thalamuthu Natarajan Maaligai,
2nd Floor, Gandhi Irwin Road,
Egmore, Chennai 8.

3.The Superintendent of Central Prison,
Cuddalore.

4. The Joint Secretary to Government
Public (Law and Order)
Fort Saint George, Chennai.

5.The Public Prosecutor,
High Court,
Chennai.

Copy To
The Section Officer,
Criminal Section,
High Court, Madras

H.C.P. No. 1404 of 2020

NR(CO)
GMY(20/08/2020)