

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2020

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice D.KRISHNAKUMAR

H.C.P. No. 1769 of 2020

Abisri ... Petitioner/Wife of the Detenue

vs

1.The Secretary to Government,
Home Prohibition and Excise Department,
Secretariat, Fort St.George, Chennai - 9.

2.The Secretary,
Prison Department,
Secretariat Building, Fort St. George,
Chennai - 9.

3.The Additional Director General of Police
(Prison), CMDA Towers, Egmore,
Chennai - 8.

4.The Superintendent of Prison,
Central Prison Puzhal, Chennai - 66.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of habeas corpus directing the respondents to grant parole period of 30 days to the petitioner's husband Gunasekaran, S/o.Ganesan, aged about 27 years, who is confined in Central Prison, Puzhal, Chennai.

For Petitioner : Mr.W.Camyles Gandhi

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

Page numbers

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner, who is the wife of the convict, seeking consideration of ordinary leave so as to enable him to attend to his ailing mother, has filed the present habeas corpus petition.

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

3. The police report indicates that the reason assigned is correct. The convict has been under incarceration for more than 11 years. The mother of the convict is undergoing dialysis. On the earlier occasion, he was given ordinary leave without escort.

4. Considering the above, we are inclined to grant three weeks leave to the convict without escort. The convict shall be released on 14.10.2020 at 10.00 a.m. and he shall return back to the prison on 04.11.2020 at 5.00 p.m. During the leave period, the convict shall report before the Inspector of Police, Velacherry Police Station, Chennai daily at 5.30 p.m. The habeas corpus petition stands disposed of accordingly.

Post the matter 'for reporting compliance' on 05.11.2020.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1. The Secretary to Government,
Home Prohibition and Excise Department,
Secretariat, Fort St. George, Chennai - 9.

2. The Secretary,
Prison Department,
Secretariat Building, Fort St. George,
Chennai - 9.

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(Prison), CMDA Towers, Egmore,
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Page numbers

4.The Superintendent of Prison,
Central Prison Puzhal, Chennai - 66.

5.The Joint Secretary to Govt.,
Public(Law & Order)
Fort St.George, Chennai-9.

6.The Public Prosecutor,
High Court, Madras.

Copy to:
The Inspector of Police,
Velacherry Police Station,
Chennai.

+1cc to Mr.W.Camyles Gandhi, Advocate SR.33805

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CB(14/10/2020)



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Page numbers