

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2020

Coram

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

H.C.P. No. 1837 of 2020

R.Saraswathy

... Petitioner

-vs-

1. The Home Secretary (Prison),
Home Department, Secretariat,
Fort St.George, Chennai.
 2. The Additional Director General of Prison (ADGP),
Office of the ADGP, Gandhi Irwin Road,
CMDA Building, Egmore,
Chennai - 600 008.
 3. The Deputy Inspector General of Range (DIG),
Coimbatore Range, Gandhipuram,
Coimbatore - 641 012.
 4. The Superintendent of Prison,
Salem Central Prison,
Hasthampatti - 636 007.
- ... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the respondents to retain the detenu namely Radha @ Radha Krishnan, S/o.Duraisamy (C.T.No.7698) to undergo his remaining punishment period at Central Prison, Salem based on the petitioner's representation dated 05.09.2020.

For Petitioner .. Mr.M.Mohamed Saifulla
For Respondent .. Mr.R.Prathap Kumar
Addl. Public Prosecutor

ORDER

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

The petitioner is the wife of the convict. The present habeas corpus petition has been filed seeking a direction to the respondents to retain the convict at Central Prison, Salem without transferring him to the Central Prison, Coimbatore.

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

3. On an earlier occasion, due to administrative reason, the convict was transferred from Central Prison, Coimbatore to Central Prison, Salem. Now, the communication sent by the Jail Superintendent, Salem to the office of the Public Prosecutor would show that till the completion of the case in Crime No.26 of 2015, the convict will not be transferred.

4. In view of the above said letter dated 28.10.2020 and recording the same, the habeas corpus petition stands disposed of by making it clear that till the pendency of the case in Crime No.26 of 2015, the convict shall not be transferred. Liberty is also be given to the petitioner to approach this Court if any decision is made to transfer the convict after the completion of said case, since we are not going into the issues raised by the petitioner in this habeas corpus petition.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mami/ssm

To

- 1.The Home Secretary (Prison),
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Fort St.George, Chennai.
- 2.The Additional Director General of Prison(ADGP),
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- 4.The Superintendent of Prison,
Salem Central Prison,
Hasthampatti - 636 007.
5. The Public Prosecutor,
High Court, Madras.

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BR(CO)

RMP(03/12/2020)