

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 18.11.2020
CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
AND
THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

H.C.P.NO.1942 OF 2020

Sumaiya Banu

.. Petitioner/
W/o the Detenue

Vs

The State Rep. By

1. The Secretary to Government of Tamilnadu,
Department of Home,
Fort St.George, Chennai - 600 009.
2. The Additional Director General of Prison,
Egmore, Chennai - 600 008.
3. The Superintendent,
Central Prison, Puzhal 1,
Chennai.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the respondents to grant ordinary leave for 30 days without escort to the detenu M.M.Hakim, S/o.Mohammed Malangu, aged about 44 years, Convict No. 4660, detained at Central Prison, Puzhal-I.

For Petitioner : Dr.S.Manoharan

For Respondents : 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. This petition has been filed seeking ordinary leave for 30 days so as to enable the convict to make arrangements for the change of school of their daughter.

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

3. The Probation Officer's report furnished before us also indicates that the reason assigned is true. On the previous occasions, the convict availed both emergency and ordinary leave with escort and returned to the prison.

4. Considering the above, we are inclined to direct the respondents to grant 15 days leave to the convict with minimum escort viz., two, 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 20.11.2020 and he shall return back to the prison at 05.00 p.m. on 04.12.2020.

5. We also make it clear that the convict will have to undergo COVID 19 test after his return.

6. With the above directions, this Habeas Corpus Petition is disposed of.

Post the matter 'for reporting compliance' on 07.12.2020.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1. The Secretary to Government of Tamilnadu, Department of Home, Fort St.George, Chennai - 600 009.
2. The Additional Director General of Prison, Egmore, Chennai - 600 008.
3. The Superintendent, Central Prison, Puzhal 1, Chennai.
4. The Public Prosecutor, High Court, Madras.

Copy To

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

H.C.P.No.1942 of 2020

NRJK(CO)
CS/19/11/2020