

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.11.2020

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MRS. JUSTICE R.HEMALATHA

CrI.MP.No.6674/2020 in HCP.No.1769/2020

Abisri

.. Petitioner

Versus

1.The Secretary to Government
Home, Prohibition and Excise Department
Secretariat, Fort St George
Chennai 600009.

2.The Secretary
Prison Department
Secretariat Building
Fort St George
Chennai 600 009.

3.The Additional Director General of Police
[Prison], CMDS Towers
Egmore, Chennai 600008.

4.The Superintendent of Prison
Central Prison-Puzhal
Chennai 600 066.

.. Respondents

Prayer:- Criminal Miscellaneous petition filed under Section 482
Cr.P.C., to extend the period of leave for 30 days to the petitioner's

husband Gunasekaran, S/o.Ganesan, aged about 27 years in HCP No.1769/2020 order dated 13.10.2020.

For Petitioner : Mr.W.Camyles Gandhi

For RR 1 to 4 : Mr.R.Prathap Kumar
Additional Public Prosecutor

ORDER

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

(1)The petitioner is the wife of the detenu, viz., Gunasekaran, S/o.Ganesan, aged about 27 years, who was convicted for the commission of the offence under Section 302 of IPC by the Court of the Principal Sessions Judge at Tiruvarur and was sentenced to undergo rigorous imprisonment for life and on appeal, the conviction and sentence came to be confirmed.

(2)The learned counsel for the petitioner would submit that in the light of the fact that the mother of the detenu / mother-in-law of the petitioner is suffering on account of kidney and other related ailments and that she was placed in the Intensive Care Unit, she moved HCP.No.1769 of 2020 before this Court for grant of parole for a period of thirty days to

her husband – detenu herein and vide order dated 13.10.2020, three weeks parole was granted to the detenu subject to certain conditions.

(3)The learned counsel for the petitioner would submit that the father of the detenu was affected due to Corona and since the detenu was attending him, he is also affected with Corona and therefore, the detenu is admitted in Billroth Hospital, Chennai-30 and as per the Plain CT Chest Scan Report dated 30.10.2020, given by Dr.Kamakshi Memorial Hospitals Private Limited, the Severity Score is 10/25 and prays for two weeks extension of parole and the learned counsel would also submit that the family of the detenu would also strictly adhere by the COVID-19 protocol.

(4)Mr.R.Prathap Kumar, learned Additional Public Prosecutor accepting notice on behalf of the respondents would submit that it is a fact that the detenu is affected due to Corona virus and as of now, he is undergoing treatment in Billroth Hospital and as and when he is discharged, he shall come back to the prison and after following COVID-19 protocol, he will be lodged back in the prison.

(5)This Court has considered the rival submissions and also perused the materials placed before it.

(6) This Court, in the light of the above facts and circumstances, **grants extension of parole to the detenu Gunasekaran, S/O.Ganesan, aged 27 years for a period of fifteen days from today, i.e., from 04.11.2020 to 18.11.2020** and on that day, viz., on 18.11.2020, the detenu shall surrender before the 4th respondent who shall admit him to the prison by following COVID-19 protocol.

(7) It is also open to the Inspector of Police, Velachery Police Station, Chennai to cause verification as to the whereabouts and availability of the detenu while he is on parole.

(8) The Criminal Miscellaneous Petition stands disposed of accordingly.

[MSNJ] [RHJ]
04.11.2020

AP

Internet: Yes

सत्यमेव जयते

WEB COPY

To

- 1.The Secretary to Government
Home, Prohibition and Excise Department
Secretariat, Fort St George
Chennai 600009.
- 2.The Secretary
Prison Department
Secretariat Building
Fort St George
Chennai 600 009.
- 3.The Additional Director General of Police
[Prison], CMDS Towers
Egmore, Chennai 600008.
- 4.The Superintendent of Prison
Central Prison-Puzhal
Chennai 600 066.
- 5.The Public Prosecutor
High Court, Chennai.

Copy to:-

The Inspector of Police
J7 Velachery Police Station
No.1, Velachery Main road
Velachery, Chennai 600 042.

WEB COPY

CrI.MP.No.6674/2020 in HCP.No.1769/2020

M.SATHYANARAYANAN, J.,

AND

R.HEMALATHA, J.,

AP



CrI.MP.No.6674/2020
in HCP.No.1769/2020

WEB COPY 04.11.2020