

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2020

CORAM

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

H.C.P.NO.2050 OF 2020

K.Rama

.. Petitioner

Vs

1. State by The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 9.
2. The Director General of Police &
I.G. of Prisons, Gandhi Irwin Road,
Egmore, Chennai - 8.
3. The Superintendent of Prisons,
Central Prison I, Puzhal,
Chennai - 66.

.. 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 by considering the representation dated 17.10.2020 to the petitioner's husband Kasi Viswanathan, Son of Venkatachalam, aged 64 years, Ct.No.2435, Life Convict now confined at Central Prison I, Puzhal, Chennai.

For Petitioner : Mr.P.Pugalenth

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

ORDER

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

The petitioner seeks ordinary leave so as to enable her to get adequate treatment as she is admittedly bedridden.

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

3. Inasmuch as the convict is not eligible for ordinary leave for a period of one month, we are inclined to direct the respondents to grant six days emergency leave with minimum escort.

4. Accordingly, we direct the respondents to grant 6 days emergency leave to the convict with minimum escort 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 26.11.2020 and he shall return back to the prison at 05.00 p.m. on 03.12.2020. The respondents shall provide minimum escort to the convict from the Central Prison from the time he leaves the prison and till such time he is taken back to the Central Prison, on the said date and time as ordered by this Court. We make it clear that the day on which the convict is released from the prison and the day on which he is readmitted will have to be excluded.

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 04.12.2020.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1. The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 9.
2. The Director General of Police &
I.G. of Prisons, Gandhi Irwin Road,
Egmore, Chennai - 8.

3. The Superintendent of Prisons,
Central Prison I, Puzhal, Chennai - 66.

4. The Public Prosecutor,
High Court, Madras.

H.C.P.No.2050 of 2020

SS (CO)
CS/30/11/2020



WEB COPY