

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. 2068 OF 2020

G.Shankar

..Petitioner

Vs

1.State by

The Deputy Inspector General of Prison,
DIG Office Campus, Vellore Range,
Vellore - 2.

2.The Superintendent of Prison,
Central Prison, Cuddalore.

..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 a period of one month by consideration the representation dated 26.07.2019 of the petitioner namely G.Shankar, S/o.Gandhidoss, C.T.No.14624, Convict Prisoner, now confined in the Central Prison, Cuddalore.

For Petitioner : Ms.S.Nadhiya

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

ORDER

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

The petitioner has come forward to file this habeas corpus petition seeking a direction to the respondents to grant ordinary leave for a period of one month so as to take treatment for his ailment.

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

3.Learned counsel appearing for the petitioner submitted that the petitioner is suffering with eye problem and seeks ordinary leave for taking treatment.

4.Considering the above, we are inclined to direct the respondents to grant 15 days 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 30.11.2020 and he shall return back to the prison at 05.00 p.m. on 14.12.2020.

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 15.12.2020.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1.The Secretary to the Government,
State of Tamilnadu,
Home, Prohibition and Excise Department,
Secretariat, Chennai-600 009

2.The Deputy Inspector General of Prison,
DIG Office Campus, Vellore Range,
Vellore - 2.

3.The Superintendent of Prison,
Central Prison, Cuddalore.

4.The Public Prosecutor,
High Court, Madras.

Copy to
The Chief Judicial Magistrate,
Cum Additional Sessions Judge,
Sivagangai.

H.C.P. No. 2068 of 2020

AD(CO)
KKV/30/11/2020