

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2020

CORAM

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

AND

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

H.C.P. No. 2063 of 2020

Stella Mery

..Petitioner/writ of the Detenu

Vs.

1. The State of Tamil Nadu,
rep. by its
Principal Secretary to Govt.,
Home (Prison) Department,
Tamil Nadu Government
Chief Secretariat,
Fort St. George,
Chennai - 600 009.
2. The Additional Director General
of Police/IG of Prisons,
CMDA Towers II, No.1,
Gandhi Irwin Road, Egmore,
Chennai - 600 008.
3. The Superintendent,
Central Prison-I, Puzhal,
Chennai.

..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Habeas Corpus to direct the respondents to grant leave for six weeks to the detenu Pandiyan, Son of Mani, aged about 49 years, C.T. No. 2416, now confined at Central Prison I, Puzhal, Chennai, based on the petitioner's representation dated 31.10.2020.

For Petitioner :: Mr. Ilayaraja Kandasamy

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

O R D E R

(Order of the Court was made by M.M. SUNDRESH, J.)

The petitioner, who is the wife of the convict, has come

forward with the present Habeas Corpus Petition seeking leave for six weeks to the convict on the following grounds, namely, (i) to fix engagement of their son (ii) to give treatment to his ailing father and (iii) for renovation of house.

2. Learned Additional Public Prosecutor appearing for the respondents submitted that the Probation Officer, on enquiry, found that the reasons assigned are not true.

3. Learned counsel for the petitioner submitted that the enagement will have to be fixed hereafter.

4. We do not find any reason to allow this petition. Earlier, this Court had granted leave by order dated 19.03.2020 in H.C.P. No. 339 of 2020 for 15 days and subsequently, it was extended till 14.06.2020 due to Covid 19 pandemic. Since the convict was outside for 70 days and now, the reasons assigned for leave have also been found to be not true, the Habeas Corpus Petition stands dismissed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

nv
To

1. The Principal Secretary to Govt.,
Home (Prison) Department,
Tamil Nadu Government
Chief Secretariat,
Fort St. George,
Chennai - 600 009.

2. The Additional Director General
of Police/IG of Prisons,
CMDA Towers II, No.1,
Gandhi Irwin Road, Egmore,
Chennai - 600 008.

3. The Superintendent,
Central Prison-I, Puzhal,
Chennai.

4. The Public Prosecutor,
High Court, Madras.

H.C.P. No. 2063 of 2020

SDR 18/12/2020