

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2020

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

H.C.P.NO.2053 OF 2020

R.Rami ..Petitioner/Mother of the
Detenue

Vs.

1. The Director General of Police &
I.G. Of Prison,
Gandhi Irwin Road,
Egmore, Chennai - 600 008.
2. The Superintendent of Prison,
Central Prison, Vellore. ..Respondents

Prayer:

Petition under Article 226 of the Constitution of India
praying for issue of a Writ of Habeas Corpus directing the
respondents to grant 30 days ordinary leave by considering the
representation dated 16.10.2020 to the petitioner's son Murali,
S/o. Rajendran, aged about 28 years, convict prisoner, now
confined in Central Prison, Vellore.

For Petitioner :: Ms.S.Nadhiya

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

WEB COPY
O R D E R
(Order of the Court was made by M.M. SUNDRESH, J.)

The petitioner, who is the mother of the detenu/convict
has filed the present Habeas Corpus Petition seeking a direction
to the respondents to grant 30 days ordinary leave to her son
Murali, S/o. Rajendran, aged about 28 years, convict prisoner,
now confined in Central Prison, Vellore, so as to enable him to
give proper treatment to the petitioner as she is stated to be
suffering from cancer.

2. Though the Probation Officer's report shows that the petitioner is taking treatment as an out-patient, the medical certificate filed by the petitioner indicates that she is suffering from cancer.

3. Therefore, considering the above, we are inclined to direct the respondents to grant emergency leave to the convict for 6 days commencing from 03.12.2020 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 03.12.2020 and he shall return back to the prison at or before 05.00 p.m. on 08.12.2020. 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. This Habeas Corpus Petition is disposed of accordingly with the above directions.

4. Post the matter for "reporting complainece" on 09.12.2020.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Director General of Police & I.G. Of Prison, Gandhi Irwin Road, Egmore, Chennai - 600 008.
2. The Superintendent of Prison, Central Prison, Vellore.
3. The District Collector, Vellore.
4. The Public Prosecutor, High Court, Madras.

H.C.P.No.2053 of 2020

SAI (CO)
CS/02/12/2020