

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.2072 of 2020

G.Manjula

..Petitioner

Vs

- 1.The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Fort St. George, Chennai - 600 009.
- 2.The Secretary, Prison Department,
Secretariat Building, Fort St. George, Chennai-600 009.
- 3.The Additional Director General of Police, (Prison),
CMDA Towers, Gandhi Irwin Road,
Egmore, Chennai-600 008.
- 4.The Superintendent of Prison,
Salem Central Prison, Salem. .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of a Writ of Habeas Corpus to grant parole for a period of two months to the petitioner's husband C.Rajmohan (C.T.No.6584) aged about 47 years, who is confined in Central Prison, Salem.

For Petitioner .. Mr.D.Alexis Sudhakar

For Respondents .. Mr.R.Prathap Kumar
Additional Public Prosecutor

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

The petitioner, who is the wife of the convict 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.

2.Heard the learned counsel appearing for the parties.

3.The petitioner's husband, namely, the convict has been charged for the offence punishable under Section 304 Part I read with Section 34 IPC and sentenced to undergo imprisonment for a period of 10 months and 10 days.

4.Learned counsel appearing for the petitioner submitted that the presence of the convict is required to take care of the dialysis of his son and the ailing father, who is in serious condition.

5.Inasmuch as the aforesaid reason is not in dispute, we are inclined to grant six days emergency leave to the convict with minimum escort subject to the usual conditions that can be imposed. 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 01.12.2020.

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 02.12.2020.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

mmi/ssm

To

1.The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Fort St. George, Chennai - 600 009.

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

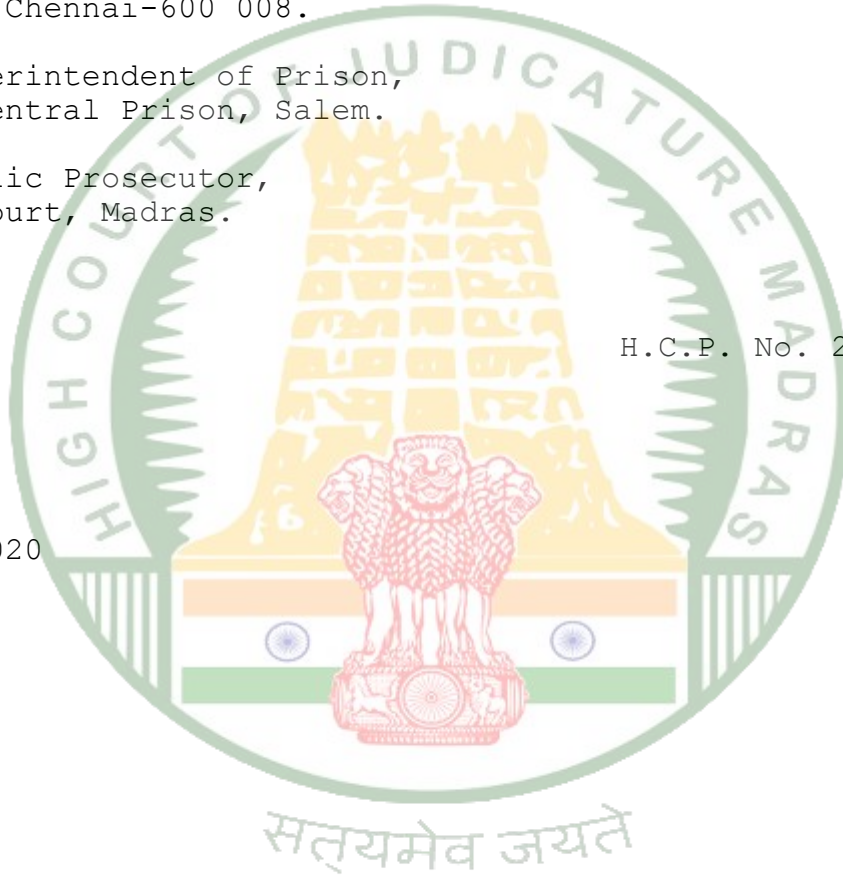
3.The Additional Director General of Police, (Prison),
CMDA Towers, Gandhi Irwin Road,
Egmore, Chennai-600 008.

4.The Superintendent of Prison,
Salem Central Prison, Salem.

5.The Public Prosecutor,
High Court, Madras.

H.C.P. No. 2072 of 2020

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