

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2020

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice D.KRISHNAKUMAR

H.C.P. No.2302 of 2020

Arputhajothi ... Petitioner

-vs-

- 1.The Additional Director General of Police(Prisons),
Thalamuthu Natarajar Malligai,
CMDA Tower-II, No.1,
Gandhi Irwin Road, Egmore,
Chennai-600 008.
- 2.The Superintendent of Prison,
Central Prison, Convict Prison,
Puzhal, Chennai-600 066.
- 3.The Inspector of Prison,
J-7, Velachery Police Station,
Velachery, Chennai-600 042 Respondents

Prayer:Petition filed under Article 226 of the Constitution of India to issue a writ of habeas corpus directing the respondents to consider the petitioner's representation dated 05.10.2020 and to grant one month parole to the petitioner's husband Karmegam S/o.Muthu Subramanian aged about 56 years, who is confined in Central Prison, Puzhal.

For Petitioner : Mr.R.Thamarai Selvan

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

ORDER

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

The petitioner is the wife of the life convict, namely Karmegam S/o Muthu Subramanian, aged 56 years, who is now confined in Central Prison, Puzhal. This Habeas Corpus Petition has been filed to direct the respondents to consider the petitioner's representation dated 05.10.2020 and grant one month parole to her husband, namely Karmegam S/o.Muthu Subramanian aged about 56 years, who is confined in Central Prison, Puzhal.

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

3.The petitioner made a representation on 05.10.2020 seeking consideration of one month leave on the premise that the bridegroom will have to be found for the daughter of the convict.

4.Unfortunately, the convict is not eligible for consideration of grant of one month leave as per the Tamil Nadu Suspension of Sentence Rules, 1982. In such view of the matter, we can only direct the respondent No.2 to forward the representation dated 05.10.2020 to the respondent No.1 within a period of two weeks from the date of receipt of copy of this Order. On receipt of the same, the respondent No.1 shall pass appropriate orders including the consideration of relaxation of the Rules within a period of four weeks thereafter.

5.Accordingly, this habeas corpus petition stands disposed of.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS II)

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To Sub Assistant Registrar

1.The Additional Director General of Police(Prisons),
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Velachery, Chennai-600 042

4.The Public Prosecutor,
High Court, Madras.

+1cc to M/s.R.Thamarai Selvan, Advocate Sr.42688

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