

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 23.12.2020

CORAM

The Honourable Mr Justice M.M.SUNDRESH
and
The Honourable Mr Justice D.KRISHNAKUMAR

Habeas Corpus Petition No.2346 of 2020

M.Jayanthi

... Petitioner

-Versus-

The State Rep. by its

1.The Deputy Inspector General of Prisons,
Vellore Range, Vellore-2.

2.The Superintendent of Prison,
Central Prison, Vellore-2.

3.The Inspector of Police,
Thiruvalam, Women's Police Station,
Vellore.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents to grant emergency leave for 10 days by considering the representation dated 23/11/2020 to the Convict - Mohandoss (Convict Prisoner No.3686), aged about 65 years, son of Perumalnaidu, now detained at Central Prison, Vellore.

For Petitioner : M/s.S.Nadhiya

For Respondents : Mr.R.Prathap Kumar, APP

ORDER

[Order of the court was made by Justice M.M.SUNDRESH]

The petitioner who is the wife of convict seeks leave on the ground; taking treatment for kidney ailment suffered by her. The reason assigned is not disputed.

2. Such view of the matter, we are inclined to direct the respondents to grant 6 days leave to the petitioner's husband namely, Mohandoss, Convict No.3686, S/o Perumalnaidu, aged about 65 years, commencing from 25.12.2020 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 25.12.2020 with minimum escort (Two Police Constables) and he shall return back to the prison at or before 05.00 p.m. on 01.01.2021 . 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. The convict shall be subjected to Covid test on his return back to prison. This Habeas Corpus Petition is disposed of accordingly with the above directions.

3. The Registry is directed to list this matter on 04.01.2021 for reporting compliance.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

Vaan

To

- 1.The Deputy Inspector General of Prisons,
Vellore Range, Vellore-2.
- 2.The Superintendent of Prison,
Central Prison, Vellore-2.
- 3.The Inspector of Police,
Thiruvalem, Women's Police Station, Vellore.
- 4.The Joint Secretary to Government, Public (Law and Order),
Secretariat, Fort St. George, Chennai 600009.
- 5.The Public Prosecutor, High Court, Chennai.

Copy To

The Section Officer,
Criminal Section, High Court,
Madras.

(To List the case on 04/01/2021 for reporting compliance)

H.C.P.No.2346 of 2020

AJS(CO)
GN(28/12/2020)