

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2020

CORAM

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

AND

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

H.C.P. No. 2311 of 2020

A. Shanmugapriya .... Petitioner

Vs.

The State represented by its

1. The Secretary to Government of Tamil Nadu,  
Home Department, Fort St. George,  
Chennai-600 009.

2. The Deputy Inspector General of Police,  
Coimbatore Range, Coimbatore - 18.

3. The Superintendent,  
Central Prison, Salem.

4. The Inspector of Police,  
Mecheri Police Station,  
Salem District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the respondents to grant 30 days leave to the detenu, the life convict prisoner, convict No. 743, S. Annadurai, S/o. Sakkaraiyan, aged about 37 years old, detained at Central Prison, Salem.

For Petitioner :: Dr.S.Manoharan

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

ORDER

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

The petitioner, who is the wife of the life convict namely, S. Annadurai, S/o. Sakkaraiyan, aged about 37 years, Convict No.743 confined at Central Prison, Salem, has come forward with the present Habeas Corpus Petition seeking 30 days leave to the convict whose left side has been paralysed and has thus become immobile.

2. The learned Additional Public Prosecutor has also produced records to substantiate the same including the communication dated 07.12.2020 sent by the Professor and Head of Department of General Medicine, Government Mohan Kumaramangalam Medical College Hospital, Salem, to the Dean of the said hospital.

3. In such view of the matter, we are inclined to grant 30 days leave to the convict from 11.12.2020 onwards.

4. Accordingly, we direct the respondents to grant thirty days (30) leave to the convict subject to the usual conditions that can be imposed, without escort. The convict shall be released on 11.12.2020 at 10.00 a.m. and return back to the prison on 11.01.2021 at 5.00 p.m. 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.

5. We also make it clear that the convict will have to undergo COVID 19 test after his return.

6. The habeas corpus petition stands disposed of accordingly. Post the matter 'for reporting compliance' on 12.01.2021.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary to Government of Tamil Nadu,  
Department of Home, Fort St. George,  
Chennai-600 009.
- 2.The Deputy Inspector General of Police,  
Coimbatore Range, Coimbatore - 18.
- 3.The Superintendent,  
Central Prison, Salem.
- 4.The Inspector of Police,  
Mecheri Police Station,  
Salem District.
5. The Public Prosecutor,  
High Court, Madras.

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srg 10/12/2020



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