

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

HCP. NO.2357 OF 2020

Senthamarai

...Petitioner/Sister of Convict

-Versus-

The State Rep. by its

- 1.Home Secretary (Prison),
Secretariat, Fort St. George,
Chennai - 600 009.
- 2.The Director General of Prison &
Inspector General of Prisons,
Whannels Road, Egmore,
Chennai - 600 008.
- 3.The Deputy Inspector General of Prisons,
Coimbatore range, Gandhipuram,
Coimbatore.
- 4.The Superintendent of Prison,
Salem Cenral Prison, Hasthampatty,
Salem District.
- 5.The Inspector of Police,
Pappirettipatti Police Station,
Dharmapuri District

...Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents to grant leave for one month without escort to the Convict namely C.Senthil @ Yoga Senthil, S/o. Late Chinnasamy Gounder (Life Convict Prisoner CT No.4787) now, confined in Central Prison, Salem.

For Petitioner	: M/s. M.Mohamed Saifulla
For Respondents	: Mr.R.Prathap Kumar Addl. Public Prosecutor

ORDER

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

The petitioner is the sister of convict. After having undergone more than 17 years of incarceration, sister of the Convict, has come up with this petition seeking ordinary leave on the ground to make arrangements for dealing with properties by executing documents belongs to the family. The Probation officer has also found the reasons assainged by the petitioner are correct.

2. On the earlier occasion, pursuant to the order passed by this Court, the Convict was granted leave and his conduct was also found satisfactory while on leave and he complied with the conditions imposed.

3. In such view of the matter, we are inclined to direct the respondents to grant leave to the Convict C.Senthil @ Yoga Senthil (Life Convict Prisoner CT No.4787), S/o. Late Chinnasamy Gounder , for three weeks commencing from 30.12.2020 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 30.12.2020 without escort and he shall return back to the prison at or before 05.00 p.m. on 22.01.2021. 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. This Habeas Corpus Petition is disposed of accordingly with the above directions. The Convict shall report before the Inspector of Police, Pappirettipatti Police Station, Dharmapuri District daily at 5.00 p.m. during the leave period. The convict shall be subjected to Covid-19 test on his return back to prison.

4. The Registry is directed to list this matter on 27.01.2021 for reporting compliance.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ak/vaan

To

1.The Home Secretary (Prison), Secretariat, Fort St. George,
Chennai - 600 009.

2. The Director General of Prison &
Inspector General of Prisons,
Whannels Road, Egmore, Chennai - 600 008.

3.The Deputy Inspector General of Prisons, Coimbatore range,
Gandhipuram, Coimbatore.

4.The Superintendent of Prison, Salem Cenral Prison,
Hasthampatty,
Salem District.

5.The Inspector of Police, Pappirettipatti Police Station,
Dharmapuri District

6.The Public Prosecutor, High Court, Chennai.

H.C.P.No.2357 of 2020

KJ (CO)
KKV/28/12/2020



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