

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2020

Coram

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

Crl MP No. 7807 of 2020
in H.C.P. No. 1872 of 2020

S.Rasheeda Begum

... Petitioner

-vs-

The State Rep. By its

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

2.The Additional Director General of Prison,
C.M.D.A.Towers, Egmore, Chennai - 08

3.The Superintendent,
Central Prison, Coimbatore.

... Respondents

Petition to extend the leave for three months without escort from
09.11.2020 to the detenu, S.A.Basha, S/o.Abdhul Rehman, aged about
80 years, Convict No.3244, detained at Central Prison, Coimbatore in
H.C.P No. 1872 of 2020 order dated 23.11.2020.

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.*]

Seeking to extend the leave already granted by this Court on 09.11.2020, the present petition has been filed.

2. Heard the learned counsel appearing for the parties.

3. Learned counsel appearing for the petitioner submitted that the treatment of the convict is yet to be completed. The learned counsel relied upon the communication between the daughter and the convict in this regard. It is further submitted that the convict has been under incarceration for more than two decades and the conditions imposed by this Court on the earlier occasion have been complied with. A further submission has been made that the security in existence should not be a hindrance to the convict in meeting the members of

the family, friends and relatives apart from taking continuous treatment.

4. Learned Additional Public Prosecutor appearing for the respondents submitted that though the convict has complied with the conditions, inasmuch as this Court has already granted 15 days time, there is no need for extension.

5. Considering the submissions made, we are inclined to extend the leave already granted to the convict by 10 more days, on the very same terms, so as to facilitate the completion of his treatment. We also take note of the fact that the convict is aged and he has been under incarceration for more than two decades. We further make it clear that the escort provided shall not be a hindrance for the convict to meet his relatives and friends provided the requisite parameters are complied with. Similarly, the said escort shall not stand in the way of the convict in getting appropriate treatment.

6. Accordingly, the leave already granted to the convict is extended till 19.12.2020 at 5.00 p.m, on the very same terms. The

convict shall return back to the prison at 05.00 p.m. on 19.12.2020.

The miscellaneous petition is closed accordingly.

Post the matter 'for reporting compliance' on 21.12.2020.

(M.M.S.,J.) (D.K.K.,J.)
08.12.2020

Index: Yes/No
ssm

Note: Issue Today

To

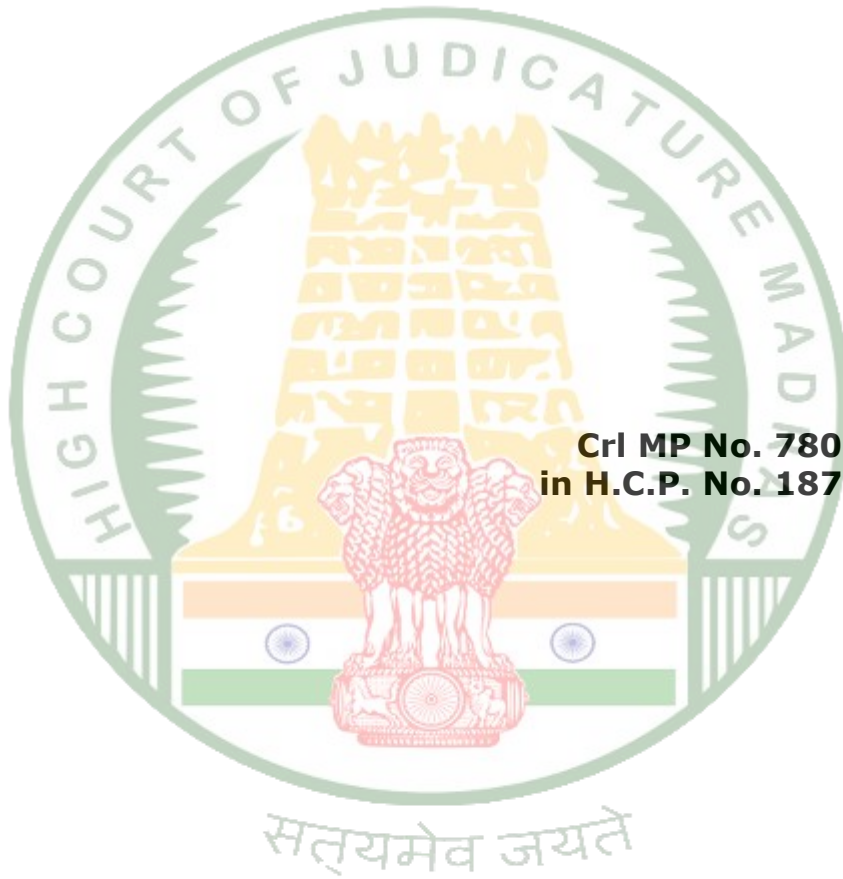
- 1.The Secretary to Government of Tamil Nadu
Home Department,
Fort St. George, Chennai 600 009
- 2.The Additional Director General of Prison,
C.M.D.A.Towers, Egmore, Chennai - 08
- 3.The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court, Madras.

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in HCP No 1872 of 2020*

**M.M.SUNDRESH, J.
and
D.KRISHNAKUMAR, J.**

ssm



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