

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.2388 of 2020

F.Mary

... Petitioner

-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,
Office of the DIG (Coimbatore Range)
Coimbatore range, Gandhipuram,
Coimbatore.
 4. The Superintendent of Prison,
Coimbatore Central Prison,
Gandhipuram, Coimbatore.
 5. The Inspector of Police,
Karumathampatti Police Station,
Coimbatore

... 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 Babu, S/o.Francis, aged about 37 years now, detained at Coimbatore Central Prison.

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 mother of convict. After having undergone more than 18 years of incarceration, mother of the Convict, has come up with this petition seeking ordinary leave on the grounds that she has to take treatment for her ill health and make arrangement for family properties. The convict has not availed any leave during the period of incarceration.

2. In such view of the matter, we are inclined to direct the respondents to grant leave to the Convict Babu Convict No.13203 S/o.Francis, aged about 37 years, for four weeks 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 without escort and he shall return back to the prison at or before 05.00 p.m. on 24.01.2021. 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, Karumathampatti Police Station, Coimbatore daily at 5.00 p.m. during the leave period. The convict shall be subjected to Covid test on his return back to prison.

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

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

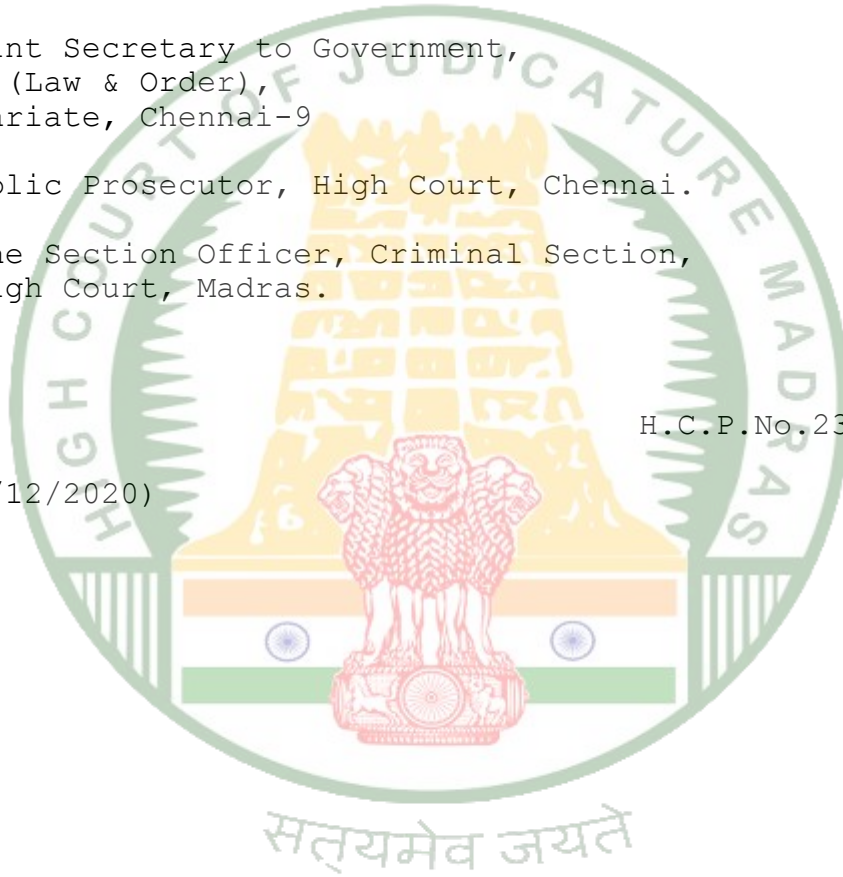
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5. The Inspector of Police,
Karumathampatti Police Station,
Coimbatore.
6. The Joint Secretary to Government,
Public (Law & Order),
Secretariate, Chennai-9
7. The Public Prosecutor, High Court, Chennai.

Copy to the Section Officer, Criminal Section,
High Court, Madras.

H.C.P.No.2388 of 2020

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