

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Cr1.O.P.No.29435 of 2019

S.Rasitha Begam

... Petitioner

Versus

The State represented by its
The Superintendent of Police,
Central Prison,
Kovai-18

... Respondent

Prayer: Petition filed under Section 482 Cr.P.C., seeking to direct the respondent to grant emergency leave fully with night and day as per rule 13 of the Tamilnadu suspension of sentence Rules, 1982, to petitioner's husband/the detainee, S.A.Basha S/o.Abdhul Rehman, aged about 79 years, Convict No.3244 detained at Central Prison, Kovai.

For Petitioner : No appearance.

For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking direction, to direct the respondent to grant emergency leave to the petitioner's husband / detainee, S.A.Basha, detained at Central Prison, Kovai.

2. Today, when the petition came up for hearing, there was no representation for the petitioner.

3. On the other hand, the learned Additional Public Prosecutor appearing for the respondent, present and made a submission that earlier, after filing this petition, for the same relief, the daughter of the detainee one Mubina filed HCP No.1832 of 2019 and the same was allowed, as prayed for. Accordingly, emergency leave was granted to the detainee from 05.11.2019 to 07.11.2019. The said submission is recorded.

4. Recording the above submission, since the prayer sought by the petitioner has already been considered through HCP No.1832 of 2019, the prayer sought in this petition becomes infructuous. Accordingly, the Criminal Original Petition is dismissed as infructuous.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ars/sri

To

1. The Superintendent of Police,
Central Prison,
Kovai-18
2. The Public Prosecutor,
High Court, Madras.

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