

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2021

Coram

The Hon'ble Mr. Justice P.N.PRAKASH
and
The Hon'ble Mr. Justice V.SIVAGNANAM

H.C.P. No. 2300 of 2019

Leena

.. Petitioner

Vs.

- 1.The Chairman,
Advisory Board, Puducherry.
- 2.The Chief Secretary to Government,
Chief Secretariat,
No.1, Goubert Avenue,
Puducherry - 605 001.
- 3.The Inspector General of Prisons,
No.1, Mathur Road, Kalapet,
Puducherry - 605 014.
- 4.The Chief Superintendent of Jails,
No.1, Mathur Road, Kalapet,
Puducherry - 605 014.
- 5.The Superintendent of Jails,
No.1, Mathur Road, Kalapet,
Puducherry - 605 014.

.. Respondents

Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus to direct the respondents to produce the petitioner's son namely S.Manikandan (Life Convict No4954 presently serving life sentence at Central Prison - Kalapet, Puducherry), aged about 42 years S/o.Sugunaraj, detained at Central Prison, Kalapet, Puducherry, before this Court and set him at liberty by considering the petitioner's representation dated 28.08.2019.

For Petitioner : Mr.M.Govindaraju

For Respondents: Mr.Bharatha Chakravarthy,
Public Prosecutor (Puducherry)

ORDER

[Order of the Court was made by V.SIVAGNANAM, J.]

Seeking a direction to the respondents to produce the petitioner's son namely S.Manikandan (Life Convict No.4954 presently serving life sentence at Central Prison - Kalapet, Puducherry), aged about 42 years, detained at Central Prison, Kalapet, Puducherry, before this Court and to set him at liberty by considering the petitioner's representation dated 28.08.2019. the present habeas corpus petition has been filed.

2.It is the case of the petitioner that her son S.Manikandan (Life Convict No.4954) deserves to be released based on the representation given to the police on 28.08.2019. The Superintendent of Jail, Central Prison, Puducherry, has filed a counter affidavit, wherein, it is stated that the petitioner's son S.Manikandan is involved in 25 cases and is undergoing life sentence in Crime No.104 of 1998 on the file of the Grand Bazar Police Station.

3.It is also stated that while in prison, the petitioner's son got himself involved in prison offences like attempt to jail break etc., That apart, the Advisory Board had also gone into the case of the petitioner's son S.Manikandan under Rule 302(3) of the Puducherry Prison Rules, 1969.

4.In view of the aforesaid, it cannot be stated that the petitioner's son is in the illegal confinement for the issuance of a writ of habeas corpus. The petitioner's son is undergoing life sentence pursuant to the judgment of the competent Court. Hence this habeas corpus petition is devoid of merits and the same stands dismissed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

mmi

To

1.The Chairman,
Advisory Board, Puducherry.

2.The Chief Secretary to Government,
Chief Secretariat,
No.1, Goubert Avenue,
Puducherry - 605 001.

3.The Inspector General of Prisons,
No.1, Mathur Road, Kalapet,
Puducherry - 605 014.

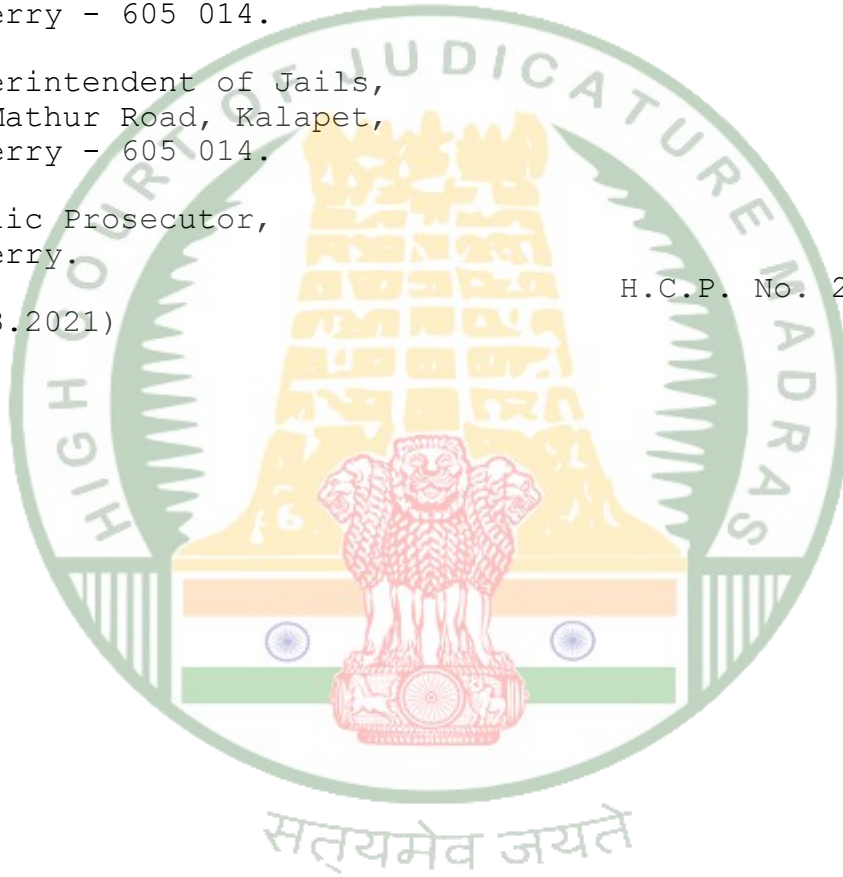
4.The Chief Superintendent of Jails,
No.1, Mathur Road, Kalapet,
Puducherry - 605 014.

5.The Superintendent of Jails,
No.1, Mathur Road, Kalapet,
Puducherry - 605 014.

6.The Public Prosecutor,
Puducherry.

H.C.P. No. 2300 of 2019

A.SK(16.03.2021)



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