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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.04.2022.

CORAM

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.8569 of 2022

Rita

... Petitioner

Vs.

The Superintendent of Central Prison,  
Puzhal - 1,  
Chennai - 600 066.

... Respondent

Prayer: Criminal Original Petitioner is filed under Section 482 of Criminal Procedure Code, pleased to pass an order of direction, directing the respondents to permit the petitioner's husband Shankar @ Chandrasekar son of Aruldoss, Convict No.5011 now confined in Central Prison, Puzhal, Chennai - 600 066 to attend the Prayer Meeting (Jeba Kootam) of his deceased Mother Neela, wife of Aruldoss held on 18.04.2022 in his house at No.36, New Housing Board, Annai Satya Nagar, Anna Nagar East, Chennai - 600 102 to secure the ends of justice.

For Petitioner : Mr.R.Sankarasubbu

For Respondent : Mr.A.Gokulakrishnan  
Additional Public Prosecutor

ORDER

The petition has been filed seeking for a direction to the respondent to permit the petitioner's husband Shankar @ Chandrasekar S/o., Aruldoss, Convict No.5011, now confined in Central Prison, Puzhal, Chennai-600 066 to attend the Prayer Meeting (Jeba Kootam) of his deceased Mother Neela, wife of Aruldoss held on 18.04.2022 in his house at No.36, New Housing Board, Annai Satya Nagar, Anna Nagar East, Chennai - 600 102.

2. It is the case of the petitioner that her husband Shankar @ Chandrasekar is a convict and now confined in Central Prison, Puzhal-I, Chennai 600 066. The petitioner's husband had completed four years out of 5 years imprisonment and the Jail Authorities have also found his conduct and character to be good. The Convict's mother Neela passed away on 03.04.2022 at 4.15 p.m., due to cardiac arrest and the petitioner had earlier



sought for 16 days Parole to the convict to perform the last rites of his deceased mother. However, since it was rejected, the petitioner had approached this Court in W.P.No.8496 of 2022 and this Court, by an order dated 04.04.2022, had granted permission to the petitioner's husband to attend the last rites and ceremonies of his deceased mother. He would further submit that now the Memorial Prayer Meeting for the convict's mother is fixed on 18.04.2022 at 6.00 pm., and the present petition has been filed seeking for a direction to the respondent to permit the convict to attend the Memorial Prayer Meeting.

3. The learned counsel for the petitioner would rely on the decision of this Court in W.P(MD).No.11868 of 2011 in the case of Mohamed Iliyas Usmani Vs. The Superintendent of Central Prison, Palayankottai, wherein, this court had granted permission to the convict to attend the 40<sup>th</sup> Ceremony of the his mother and thereby, on humanitarian grounds, he would pray that a direction may be issued to the respondent to allow the convict to attend the Prayer meeting of his mother. He would also submit that the convict would leave the prison by 4.00 pm., and he would be back at the prison at 9.00 p.m, on the same day and the convict is prepared to go along with the escorts.

4. Learned Additional Public Prosecutor would submit that recently the convict was granted permission by a Division Bench of this Court to attend the funeral of his mother.

5. Heard the learned counsel and perused the materials available on record.

6. In a similar circumstance, the Madurai Bench of this Court in W.P(MD).No.11868 of 2011 had permitted the convict to attend the 40<sup>th</sup> Day Ceremony of the his mother on humanitarian grounds. The petitioner has sought for permission on similar lines. It is also reported that the conduct of the convict in prison is good.

7. In view of the above, on humanitarian grounds, this Court directs the Respondent/the Superintendent of Central Prison, Puzhal - 1, Chennai-600 066, to send the petitioner's husband viz., Shankar @ Chandrasekar (Convict No.5011) with adequate escort to his house at No.36, New Housing Board, Annai Satya Nagar, Anna Nagar East, Chennai - 600 102 to attend the Memorial Prayer Meeting of his mother on 18.04.2022. The petitioner shall be taken at 4.00 p.m., and he shall be brought back to the prison by 9.00 p.m., without insisting upon escort charges.



8. Accordingly, the Criminal Original Petition stands disposed of.

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Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ham/rgi  
To

1. The Superintendent of Central Prison,  
Puzhal - 1,  
Chennai - 600 066.

2. The Public Prosecutor,  
High Court of Madras.

+1cc to Mr.R.Sankarasubbu, Advocate Sr.25650

Cr1.O.P.No.8569 of 2022

srg 13/04/2022