

Suo Motu Writ Petition No.7413 of 2020

DR.JUSTICE VINEET KOTHARI, J.

AND

R.SURESH KUMAR, J.

ORDER

(Made by Dr.Vineet Kothari,J)

The learned Additional Public Prosecutor, Mr.R.Prathap Kumar has brought to our notice a communication in Rc.No.46531/PS4/2020 dated 6.6.2020 issued by the Director General of Police, in para 8 of which, it is stated as under:-

"It is informed that throughout the State in all Central Prisons, Special Prisons for Women and Borstal School in Pudukottai separate blocks have been earmarked to quarantine the prisoners on their admission in prisons on expiry of leave. Hence, if the Hon'ble Court recall the order passed in Suo Motu Writ Petition No.7413/2020 regarding extension of prisoner's leave granted by the Hon'ble Court, they will be placed in quarantine in the earmarked separate blocks of respective prisons after proper screening."

2. The details of the convicts, who are on Parole, as furnished in the said Report, are reproduced hereunder:-

"Central Prison.I Puzhal

S. No	Name of Prisoner and No.	Sentenced under section	Reason & date on which sent on leave	No.of days leave availed and completed as on 08.06.2020	Orders of the Hon'ble Court
1	Convict No. 7598 Janarthanan S/o Anandhan	Total Sentence - 9 years u/s 120 (b), 409 r/w 114, 411, 409 r/w 114 IPC	On 23.01.2020, the prisoner was sent on leave for medical treatment.	137 days	HCP No. 238/19, dated - 22.01.2020
2	Life Convict No. 4752 Mani @ Manirathinam S/o Sundar	life imprisonment u/s 302 r/w 149 IPC	On, 21.03.2020, the prisoner was granted leave with police escort for his child school admission and also to take care his ailing mother	79 days	HCP No. 155/2020, dated - 19.03.2020
3	Life Convict No. 2416 Pandiyan S/o Mani	life imprisonment 302 r/w 34, 394 r/w 397, 307 r/w 34 IPC	On 21.03.2020, the prisoner was sent on leave to take care his ailing wife and also for making necessary arrangements for his children livelihood.	79 days	HCP No. 339/2020 dated - 19.03.2020
4	Convict No. 5201 Rajan @ Ithalarajan @ Sowndarajan	R.I for 10 years U/s 5, 5 of explosive	On 14.03.2020, the prisoner was granted leave to make necessary	86 days	HCP No. 164/2020, dated -

S/o Arumuganayakam	substance Act and U/s 6(1.A), 6(1.A) of wireless telegraphy Act.	arrangements for her daughter's higher education.	12.03.2020
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Central Prison Cuddalore

S. No	Name of Prisoner and No.	Sentenced under section	Reason & date on which sent on leave	No.of days leave availed and completed as on 08.06.2020	Orders of the Hon'ble Court
5	Life convict No. 16749 Azhagar @ Valarntha Azhagar S/o Dharmaraj	life imprisonment u/s 302 r/w 120 (B) and also convicted u/s 3r/w 25 (1B) (A) Arms Act.	On 05.03.2020, the prisoner was sent on leave to make necessary arrangements for his child education.	95 days	HCP No. 2637/2019, dated - 18.02.2020

Central Prison. Trichy

S. No	Name of Prisoner and No.	Sentenced under section	Reason & date on which sent on leave	No.of days leave availed and completed as on 08.06.2020	Orders of the Hon'ble Court
6	Life convict No. 20221 Rathinam @ Rethinam S/o Rengasamy	life imprisonment u/s 302 IPC	On 05.03.2020, the prisoner was sent on leave to take care of his wife and for making an arrangements for	95 days	HCP No. 438/2020, dated - 28.02.20

			settling his debts.		020
7	Life convict No. 20222 Panchanathan S/o Singaiya Devar	life imprisonme nt u/s 302 IPC	On 05.03.2020, the prisoner was sent on leave to take care of his wife and for making necessary arrangements for settling his debts.	9 5 d a y s	HCP No. 439/20 20, dated - 28.02.2 020

Central Prison Salem

S. No	Name of Prisoner and No.	Sentenced under section	Reason & date on which sent on leave	No.of days leave availed and completeda s on	Orders of the Hon'ble Court
				08.06.2020	
8	Convict No. 6584 Raj Mohan S/o Chandra Mohan	R.I for 10 years U/s 341 IPC	On 07.03.2020, the prisoner was released on leave for the medical treatment of his son.	9 3 d a y s	HCP No. 335/20 20, dated - 06.03. 2020
9	life convict No. 8610 Manoharan S/o Rajalingam	Imprisonmen t for life U/s 302 r/w 109 IPC	On 22.03.2020, the prisoner was released on leave to take care of his ailing mother.	7 8 d a y s	HCP No. 338/20 20 dated - 20.03. 2020
10	Life convict No. 7493 Verrappan S/o Tirupathi	Life imprisonment u/s 396 IPC	On 7.03.2020, the prisoner was released on leave to take care his ailing wife.	9 3 d a y s	HCP No. 332/20 20 dated - 05.03. 2020

C e n t r a l P r i s o n . C o i m b a t o r e					
1	Life convict	life	On 21.02.2020,	1 0 8	HCP
1	No. 11286	imprisonmen	the prisoner	d a y s	No.
	Balasubraman	t u/s 376 IPC	was sent on		214/20
	i S/o		leave for		20,
	Duraisamy		medical		dated -
			treatment of his		20.02.
			ailing mother.		2020

3. The learned Additional Public Prosecutor has submitted that there are **only 11 Convicts on Parole** and since an assurance has been given by the State that if the Prisoners, who are on Parole, are re-admitted in the Prisons, they will be placed in a separate quarantined quarters to be provided by the State the order in respect of grant of Parole vide order dated **26.3.2020** and extension thereof by order dated **1.6.2020** may be recalled.

4. Considering the Report of the Director General of Police and the assurance given for the quarantine arrangements, we are inclined to recall the relevant part of the order dated **26.3.2020 and 1.6.2020** passed by the co-ordinate Bench of this court. Accordingly, they are recalled and cancelled and the convicted persons should surrender before the Superintendent of the Prisons concerned on or before **15.6.2020**. The Prisoners may be informed accordingly by the concerned Superintendent of the Prisons concerned.

Dr.VINEET KOTHARI, J.
and
R.SURESH KUMAR, J.

ssk.

List again on **29.6.2020** for other aspects involved in the said
suo motu Writ Petition.

ssk

Note to office: Issue today.

(V.K.J.) (R.S.K.J.)
8.6.2020



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