

Petitioner Vs. Respondent

Petitioner Vs. Respondent

SooperKanoon Citation : sooperkanoon.com/1187536

Court : Chennai

Decided On : Nov-02-2016

Judge : The Honourable Mr. M. Jaichandren & The Honourable Mr. S. Baskaran

Appeal No. : Crl Mp No. 11553 of 2016 In H.C.P. No. 2317 of 2016

Appellant : Petitioner

Respondent : Respondent

Judgement :

M. Jaichandren, J.

1. Heard the learned counsel appearing on behalf of the petitioner as well as the learned Additional Public Prosecutor appearing on behalf of the respondents.

2. This Court, had passed an order, on 26.10.2016, in H.C.P.No.2317 of 2016, granting leave to the detenu, to attend the funeral ceremonies, relating to the death of his brother, with the following conditions:-

6. In view of the above, we pass the following order:

a. The detenu, namely, K.Manickam @ Poonganagar Manickam, who is now confined at Central Prison, Salem, is permitted to go on Parole, from 4.00 p.m., on 31.10.2016 to 4.00 p.m., on 2.11.2016.

- b. The Superintendent of Central Prison, Salem, is hereby directed to pass appropriate orders releasing the detenu on Parole, as aforesaid.
- c. The Jail Authorities are directed to release the detenu, namely, K.Manickam @ Poonganagar Manickam, on production of a copy of this order.
- d. It is made clear that the detenu should be brought back to the Central Prison, Salem, by 4.00 p.m. on 2.11.2016, without fail.
- e. The Jail Authorities, during the period of Parole, shall provide proper escort to the detenu in order to ensure the safety and security of the detenu. They shall also impose suitable conditions to that effect. The expenses relating to the escort shall be borne by the State Government.
- f. The detenu shall abide by the conditions to be imposed by the authorities concerned.
3. It had been stated, in the order, that the detenu, should be brought back to the Central Prison, Salem, by 04.00 p.m., on 02.11.2016, after completion of the funeral ceremonies.
4. The present Criminal Miscellaneous Petition, has been filed, by the petitioner, requesting that, this Court may extend the parole period, granted to the detenu, and to modify the order, passed by this Court, on 26.10.2016. It has been prayed that the detenu may be taken back, and kept in the custody of Central Prison, Salem, at 12.00 noon, on 03.11.2016.
5. The learned Additional Public Prosecutor, appearing on behalf of the respondents, has no objection, for this Court, passing an order, granting extension of time, as prayed for, by the petitioner.
6. Hence, the earlier order, passed by this Court, on 26.10.2016, in H.C.P.No.2317 of 2016, stands modified accordingly. As such, the detenu, shall be taken back to Salem, to be kept in the custody, in the Central Prison, Salem, by 12.00 noon, on 03.11.2016, instead of, at 04.00 p.m. on 02.11.2016. The other conditions, prescribed by this Court, in its order, dated 26.10.2016, in H.C.P.No.2317 of 2016,

shall continue, without any modification.

7. The Criminal Miscellaneous Petition is allowed accordingly.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com