

**PROCEEDING OF THE COMMITTEE CONSTITUTED UNDER THE
DIRECTIONS OF THE HON'BLE SUPREME COURT HELD ON
26.03.2020 IN THE PREMISES OF THE HON'BLE HIGH COURT**

In the light of the directions of Hon'ble Supreme Court in Suo Motu Writ Petition (C) No.1 of 2020, dated 23.03.2020, the Government of Andhra Pradesh, in consultation with the Chairman of the Andhra Pradesh State Legal Services Authority, has constituted a Committee. Accordingly, after constitution, the Committee held its meeting in the premises of the Andhra Pradesh High Court. At the very outset, before getting more details regarding number of prisoners in different prisons in the State, in compliance with the orders of the Hon'ble Supreme Court, the Committee has resolved, firstly, to give a proposal to the Hon'ble the Chief Justice for constituting a Bench for issuance of general direction to all the Jail Superintendents regarding release of prisoners provisionally for a period of four (4) weeks on bail to those prisoners who are either convict or under trial for offences in which maximum sentence prescribed is not more than seven (7) years. However, this benefit can be given to only those under trials/prisoners who are not accused in more than one case and also are not accused in cases relating to offence under Section 376 IPC or offences under the POCSO Act.

Regarding inmates of juvenile remand homes, information was furnished by the Director, Social Welfare, Ms.Krithika Shukla, that considering the limited number of such inmates and available space, social distancing can be maintained in the remand homes itself. In view of such information furnished by the Government, the Committee presently resolved not to issue any direction in this line.

In view of the guidelines of Hon'ble Supreme Court in ***Inhuman Conditions in 1382 v. State of Assam*** {(2016) 3 SCC 700}, and ***Arnesh Kumar v. State of Bihar*** {(2014) 8 SCC 273), on collecting detailed

Information regarding number of prisoners kept in different jails and availability of proper space, the Committee may, after collecting such information, sit for further decision after two (2) days.

It is further clarified that after being released on provisional bail, the said prisoners/under trials will ensure to remain in quarantine for fourteen (14) days. This privilege for grant of provisional bail may not be applicable to the prisoners/under trails, who are diagnosed with autoimmune diseases, which can be clarified by the respective medical officers of the jails.

The prisoners/under trails who do not want to come out on provisional bail in this situation, they may not be compelled to go out and such prisoners/under trails may maintain social distancing in the prisons.

Sd/-

HON'BLE SRI JUSTICE RAKESH KUMAR
EXECUTIVE CHAIRMAN,
A.P.STATE LEGAL SERVICES
AUTHORITY
AMARAVATHI

Sd/-

HON'BLE SRI JUSTICE A.V.SESHA SAI,
EXECUTIVE CHAIRMAN,
HIGH COURT LEGAL SERVICES
COMMITTEE
AMARAVATHI

Sd/-

PRINCIPAL SECRETARY
(HOME)

Sd/-

DIRECTOR GENERAL OF PRISONS

Date 26.03.2020

Note

Registrar General to place this report forthwith
before the Hon'ble the Chief Justice