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WP CrI. No. 490 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

W.P CrI. No.490 of 2025

and

W.P.M.P. CrI.Nos.232 and 233 of 2025

Maheswari
W/o. Anbarasan,
No.4/520 A, Maniyarasi Nagar,
Panappalayam,
Siliyur Post,
Kaaramadai,
Coimbatore – 641 113.

...Petitioner/Wife of the
detenue

Vs

1. The State Represented by its,
The Secretary to Government of Tamilnadu.
Home (Prison-IV) Department,
Fort St. George,
Chennai – 600 009.
2. The Superintendent,
Cuddalore Central Prison,
Cuddalore – 620 020.

...Respondents

Prayer : Petition filed under Article 226 of Constitution of India, praying
to issue Writ of Certiorarified Mandamus, to call for the records



WP CrI. No. 490 of 2025

pertaining to the impugned order G.O.(D).No.335/2025, dated on 19.03.2025 and direction directing the respondents to comply the order passed in W.P.No.6598 of 2024 dated 14.06.2024 and consecutively release the detenue, Anbarasan S/o. Raman, Convict No.15133, prematurely as per the G.Os in G.O(Ms) No.64 dated 01.02.2018, G.O.(Ms)No.488 dated 15.11.2021, G.O(Ms) No.430 dated 11.08.2023.

For Petitioner: Ms.S.Maroshini

For Respondents: Mr.A.Amarnath,
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

(Order of the Court was made by Sunder Mohan J.)

The wife of the convict prisoner, one Anbarasan, S/o. Raman, Convict Prisoner No. 15133, has challenged the impugned order dated 19.03.2025, by which the case of premature release of the convict prisoner was considered and rejected.

2. The convict prisoner was found guilty of the offences under Sections 302 (5 counts), 148 and 341 of the Indian Penal Code and Section 3 of the Indian Explosive Act and sentenced as follows:



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Offence	Sentence
302 (5 Counts) IPC	To undergo imprisonment for life under each count consecutively and to pay a fine of Rs.5,000/- for each count in default to undergo 2 years RI.
148 IPC	To undergo RI for one year.
341 IPC	To undergo SI for one month.
3 of Indian Explosive Act	To undergo RI for one year.

3. The convict's case for premature release was considered pursuant to an order passed by this Court in a Writ of Mandamus in W.P.No.6598 of 2024 dated 14.06.2024, wherein, this Court had directed the authorities concerned to consider the petitioner's representation dated 15.11.2023 for premature release of her husband/convict prisoner namely Anbarasan, S/o. Raman.

4. The respondents had considered the request and found the convict ineligible for premature release under (i) G.O. (Ms.) No.64, Home (Prison-IV) Department dated 01.02.2018 (ii) G.O. (Ms.) No.488, Home (Prison-IV) Department dated 15.11.2021 (iii) G.O. (Ms.) No.430, Home (Prison-IV) Department dated 11.08.2023. His case was also considered under Rules 632, 633 and 634 of the Tamil Nadu Prison



Rules, 2024 and the authorities found that the convict was not dangerously ill and did not satisfy the conditions stipulated in those Rules.

5. Ms.S.Maroshini, the learned counsel for the petitioner, wife of the convict, however, would submit that the convict is in custody for more than 24 years; that the heinousness of the offence alone cannot be a ground to reject the request of premature release and prayed for setting aside the impugned order and consequently, release the convict.

6. Heard Mr A. Amarnath, the learned counsel for the Government of Tamil Nadu (CrI. Side), and perused the counter affidavit.

7. Admittedly, the convict does not satisfy the conditions for premature release on medical grounds, as he is neither dangerously ill nor in the danger of death. The case of the convict prisoner was considered under three Government Orders namely (i) G.O. (Ms.) No.64, Home (Prison-IV) Department (ii) G.O. (Ms.) No.488, Home (Prison-IV) Department (iii) G.O. (Ms.) No.430, Home (Prison-IV) Department.



WP CrI. No. 490 of 2025

8. Under G.O. (Ms.) No.488, Home (Prison-IV) Department and G.O. (Ms.) No.430, Home (Prison-IV) Department, if the convict is convicted for the offence of more than one murder and is undergoing a life sentence, he is ineligible. The convict had committed five murders. The convict was also found to be ineligible under G.O. (Ms.) No.64, Home (Prison-IV) Department, dated 01.02.2018. Therefore, we cannot fault the order passed by the first respondent. It is needless to say that premature release cannot be claimed as a matter of right.

9. Since we do not find any infirmity in the impugned order bearing G.O.(D) No.335 of 2025 dated 19.03.2025 passed by the first respondent, we dismiss this Writ Petition. Consequently, the connected miscellaneous petitions are closed.

(A.S.M.,J.) (S.M.,J.)
06-08-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

dk



WP CrI. No. 490 of 2025



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To

1. The Secretary to the Government of
Tamil Nadu.
Home (Prison-IV) Department,
Fort St. George,
Chennai – 600009.
2. The Superintendent,
Cuddalore Central Prison,
Cuddalore - 620020.
3. The Public Prosecutor,
High Court of Madras.



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AND
SUNDER MOHAN J.

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and
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(2/2)