

W.P.Crl(MD)No.2154 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 13.07.2026

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

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Selvam alias Rathinasamy

... Petitioner

vs.

1. The State of Tamil Nadu Rep. by
The Principal Secretary to Government,
Home (Prison-IV) Department,
State of Tamil Nadu,
Secretariat, St.George Fort,
Chennai-9.

2. Inspector General of Prisons,
C.M.D.A. Towers II,
No.1, Gandhi Irvin Road,
Egmore, Chennai - 8.

3. The Deputy Inspector General of Prison,
Office of the Deputy Inspector General of Prison,
Trichy Division, Trichy District.

4. The Superintendent of Prison,
Trichy Central Prison,
Trichy District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to
issue a Writ of Certiorarified Mandamus, to call for the records connected with
the impugned order G.O.(D)No.998 dated 04.08.2025 issued by the Respondent



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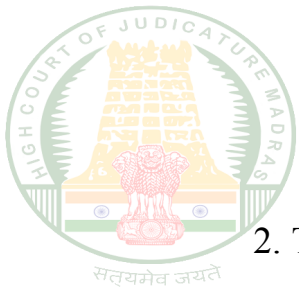
No.1 and quash the same as illegal, consequently to direct to Respondents to release the petitioner by name Selvam @ Rathinasamy C.P.No.4456, PID No. 1237 son of Kalimuthu, aged about 45 years now lodged and confined at Central Prison, Trichy have completed the more than 21 years of actual sentence on the basis of Advisory Board Scheme G.O.Ms.No.596 (Home Prison-IV) Department, dated 24.11.2023 and G.O.Ms.No.12 of 2025 dated 10.01.2025 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Prakash
For Respondents : Mr.C.Christopher
Government Advocate (Crl.Side)

ORDER

[Order of the Court was made by **A.D.JAGADISH CHANDIRA, J.**]

This writ petition is filed challenging the order passed in G.O.(D)No.998 dated 04.08.2025 issued by the 1st respondent, whereby, the request for premature release of the petitioner who is a Life Convict Prisoner who has now completed 21 years of sentence, has been rejected. The petitioner has also sought for a consequential direction to release him on the basis of the Advisory Board Scheme in G.O.Ms.No.596 (Home Prison-IV) Department, dated 24.11.2023 and G.O.Ms.No.12 of 2025 dated 10.01.2025 in accordance with law, within a time frame.



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2. The respondents have filed counter affidavit stating that the case of the petitioner will be considered as per Rule 352 of the Tamil Nadu Prison Rules 2024. In this regard, it is relevant to extract below paragraph 15 of the counter affidavit:

"15. With regard to the averments made in paragraphs 11 and 12 of the affidavit, it is submitted that the cases of prisoners which are ineligible for consideration of premature release under Advisory Board scheme are considered on humanitarian grounds on completion of 20 years of actual imprisonment as per Government letter G.O.(Ms).No.1358, Home Department, dated 10.11.1994. It is further submitted that now, the Tamil Nadu Prison Rules, 1983 has been updated. As per the updated Tamil Nadu Prison Rules, 2024, all cases of prisoners except those convicted for sexual offences are considered for premature release as per 349 of the Tamil Nadu Prison Rules. Also, the cases already considered for premature release are re-considered as per 352 of the Tamil Nadu Prison Rules, 2024. Hence, the need for considering the premature release of prisoners as per Government letter (Ms). No. 1358, Home Department, dated. 10.11.1994 no longer prevails. The case of the present prisoner will also be considered as per 352 of the Tamil Nadu Prison Rules, 2024 in due course."

3. Referring to the above, learned Government Advocate (Crl.Side) submitted that now the petitioner has given a fresh representation seeking to



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release him. He would further submit that the said representation will be

considered as per 352 of the Tamil Nadu Prison Rules, 2024 and it will be placed before the Advisory Board.

4. Recording the said submission, this Writ Petition (Criminal) stands closed.

[A.D.J.C., J.] [R.P., J.]
13.07.2026

Index : Yes / No
Neutral Citation : Yes / No
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To:

1. The Principal Secretary to Government,
Home (Prison-IV) Department,
State of Tamil Nadu,
Secretariat, St.George Fort,
Chennai-9.

2. Inspector General of Prisons,
C.M.D.A. Towers II,
No.1, Gandhi Irvin Road,
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3. The Deputy Inspector General of Prison,
Office of the Deputy Inspector General of Prison,
Trichy Division, Trichy District.

4. The Superintendent of Prison,



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Trichy Central Prison,
Trichy District.

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5. The Counsel for State of Tamilnadu (Crl.Side),
Madurai Bench of Madras High Court,
Madurai.



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A.D.JAGADISH CHANDIRA, J.

AND

R.POORNIMA, J.

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ORDER MADE IN

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DATED : 13.07.2026