

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2016

CORAM:

THE HON'BLE MR. JUSTICE R.SUDHAKAR
AND
THE HON'BLE MR. JUSTICE P.N. PRAKASH

H.C.P. No.361 of 2014

K.Murugan

Petitioner

vs.

1.The State of Tamil Nadu
rep by the Secretary to Government
Home, Prohibition and Excise Department
Secretariat, Chennai 600 009.

2.The Additional Director General of Police &
Inspector General of Prisons
Gandhi Irwin Road
Egmore, Chennai 600 008.

3.The Superintendent of Prison
Central Prison
Coimbatore.
Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents to produce the petitioner's father namely Kanthasamy, S/o Kanaku, Life Convict, C.T.No.67695, aged about 66 years, now confined in the Central Prison, Coimbatore before this Court and further direct the respondents to consider him immediately for premature release and set him at liberty.

For Petitioner Mr.Radhakrishnan
for Mr.P.Pugalenth
For Respondents Mr.A.N.Thambidurai
Additional Public Prosecutor

ORDER

(Order of the Court was made by P.N.PRAKASH, J.)

It is the case of the petitioner that his father Kanthasamy is a life convict prisoner, [C.T.No.67695] and he will be entitled to premature release as he has completed 20 years of actual imprisonment. In this connection, on an application made by Mr.P.Pugalenth, Director of Prisoners

Rights Forum under the RTI Act, the Superintendent of Prison has supplied the information by his letter dated 12.02.2014, wherein it is stated that the proposal for release of Kanthasamy [C.T.No.67695] has been sent to the District Collector and thereafter, the matter will be placed before the Government for appropriate orders.

2. Inasmuch as the prisoner has already undergone 20 years imprisonment, in the interest of justice, we are of the opinion that the District Collector may be directed to pass orders expeditiously. Accordingly, the District Collector, Salem is directed to pass appropriate orders on the proposal sent by the Superintendent of Prison within a period of eight weeks from the date of receipt of a copy of this order and forward the same to the Government for consideration, if not already disposed.

Accordingly, this Habeas Corpus Petition is disposed of.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

gms
To

1.The Secretary to Government,
Government of Tamil Nadu
Home, Prohibition and Excise Department
Secretariat, Chennai 600 009.

2.The Additional Director General of Police &
Inspector General of Prisons
Gandhi Irwin Road
Egmore, Chennai 600 008.

3.The Superintendent of Prison
Central Prison
Coimbatore.

4. The District Collector, Salem.

5.The Public Prosecutor
High Court of Madras, Chennai.

+ 1 cc to Mr.P. Pugalanthi, Advocate Sr.705

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SKV(CO)

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