



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :21.10.2016

CORAM

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

H.C.P(MD)No. 1012 of 2016

S.PALANIYAPPAN
S/O.SUBRAMANI 18/25 KANNIAMMAL ILLAM
INDHIRA NAGAR ATHUMEDU VEDACHANDUR
DINDIGUL DISTRICT. .. Petitioner

vs.

- 1 THE PRINCIPAL SECRETARY TO
GOVERNMENT HOME (PRISON IV) DEPARTMENT
SECRETARIAT FORT ST.GEORGE CHENNAI-9.
- 2 THE ADDITIONAL DIRECTOR
GENERAL OF POLICE (PRISON) CMDA TOWERS II
NO.1 GANDHI IRWIN ROAD EGMORE CHENNAI-8.
- 3 THE SUPERINTENDENT OF PRISON
CENTRAL PRISON TRICHY. .. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Habeas Corpus directing the Respondents to produce the petitioner brother by name S.Murugesan S/o.Subramani aged about 32 years life convict C.P.No.13422 now confined at Central Prison Trichy before this Court and set him at liberty by directing the respondents to order for premature release of the petitioner brother immediately under G.O.Ms.No.1155 Home Department dated 11.09.2008.

For Petitioner :Mr.M.Maran
For Respondents :Mr.A.Ramar for R1 to R3
Additional Public Prosecutor

ORDER

(Order of the Court was made by S.NAGAMUTHU, J.)

The petitioner has come up with this petition seeking a direction to the respondents to extend the benefit of G.O.Ms.No.1155 Home Department dated 11.09.2008 in favour of his



brother Mr.S.Murugesan, S/o.Subramani, who is a life convict in CP No.13422, now confined in Central Prison, Trichy, at premature release.

2. It is brought to our notice that the Hon'ble Supreme Court has quashed G.O.Ms.No.1155 dated 11.09.2008. For release under Section 432 of the Code of Criminal Procedure, the detenu is not eligible, because he has not completed 14 years of actual imprisonment.

3. In such view of the matter, no relief as prayed for could be given to the petitioner. Accordingly, this petition is dismissed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

- 1 THE PRINCIPAL SECRETARY TO
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- 3 THE SUPERINTENDENT OF PRISON
CENTRAL PRISON TRICHY.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to M/S.M.MARAN, Advocate SR.No.62648

HCP. (MD) No.1012 of 2016
21.10.2016

SMA/CK/4.11.2016:2P/6C