

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.04.2017

CORAM

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU
and
THE HONOURABLE DR.JUSTICE ANITA SUMANTH

H.C.P No.2735 of 2015

D.Dhamayanthi

..Petitioner

Vs

The State represented by

1. The Secretary to Government
of Tamilnadu, Department of Home,
Fort. St. George,
Chennai - 600 009.

2. The Additional Director General
of Prison, C.M.D.A Towers,
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 to direct the respondents to consider the G.O in G.O.(Ms) No.1155 dated 11.09.2008 and produce the detainee Duraisamy @ Periyadurai aged about 61 years, S/o.Ramasamy, Convict No.713 detained at Central Prison, Coimbatore before this Court and set him at liberty.

For Petitioner : Ms.Prescilla Jeniffer.

For respondents: Mr.V.M.R. Rajentren,
Additional Public Prosecutor

ORDER

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

The petitioner is the wife of one Mr.Duraisamy @ Periyadurai. According to the petitioner, Duraisamy @ Periyadurai is a life convict prisoner, bearing Convict No.713. He has been in jail nearly for the past 14 years. He was

convicted for offence under Sections 302, r/w 341 and 34 of I.P.C in S.C.No.84/2001 by the learned 1st Additional Sessions Judge cum Chief Judicial Magistrate, Erode dated 03.05.2002. Hence, Mr.Duraisamy @ Periyadurai is eligible for premature release under G.O.1155 of 2008 dated 11-09-2008, the petitioner has come up with this Habeas Corpus Petition.

2.Today, when the matter is taken up for hearing, the learned Additional Public Prosecutor on instruction would submit that the detenu has already been granted pre-mature release. The said statement is recorded.

3.In view of the above, the issue involved in his Habeas Corpus Petition has become infructuous. Accordingly, the Habeas Corpus Petition is dismissed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

jbm
To

1. The Secretary to Government of Tamilnadu,
Department of Home,
Fort. St. George,
Chennai - 600 009.
2. The Additional Director General of Prison,
C.M.D.A Towers,
Egmore,
Chennai - 600 008.
3. The Superintendent of Prison,
Central Prison,
Coimbatore.
4. The Additional Public Prosecutor,
High Court, Madras.

H.C.P.No.2735 of 2015

PPA(CO)
Eu 4.5.17