

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.12.2017

Coram

THE HON'BLE MR.JUSTICE RAJIV SHAKDHER
&
THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

H.C.P.No.560 of 2017

B.Mubeena

... 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 Prisons,
Central Prison
Coimbatore.

...Respondents

PRAYER: 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 S.A.Basha, S/o.Abdul Rahman, Life Convict No.3244, aged about 77 years, now confined in the Central Prison, Coimbatore before the Court and direct the respondent No.1-State of Tamil Nadu to consider the petitioner's father for premature release on humanitarian grounds under 161 of the Constitution of India.

For Petitioner : Mr.Radhakrishnan for Mr.P.Pugalenth
For Respondents : Mr.V.M.R.Rajentran,
Addl. Public Prosecutor.

O R D E R

(Order of the Court was made by RAJIV SHAKDHER, J)

1. According to the State, the release of the detenu is being considered by it in terms of a Government letter (MS) No.1358, Home Department dated 10.11.1994.

2. To be noted, the detenu, evidently, has endured actual imprisonment of twenty two (22) years and fifteen (15) days, as on 31.03.2017. Apparently, a representation was submitted by the petitioner, which is dated 23.03.2017 to the first respondent for release of the detenu.

3. To be noted, the petitioner is the daughter of the detenu, who is sentenced to life imprisonment.

4. Given the stand taken by the State in its counter affidavit, we direct the State Government to take a decision with regard to the representation of the petitioner and dispose of the same, as expeditiously as possible, though, not later than six (6) weeks from today.

5. The petition is, accordingly, disposed of.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

To

- 1.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,
Central Prison
Coimbatore.
- 4.The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to Mr.P.Pugalenth, Advocate in sr.no.88586

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NR 13/12/2017