



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 25.05.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN
AND

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

H.C.P (MD) No.755 of 2017

Mareeswari

: Petitioner

Vs.

1.The Additional Director General of Police/
Inspector General of Prisons,
No.1, Gandhi Irwin Road,
Egmore, Chennai -8.

2.The Superintendent of Prison,
Central Prison, Madurai District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, directing the respondents to release the petitioner's husband by name, Marudhu @ Nalla Marudhu, S/o.Bose Thevar, C.P.No.3536, incarcerated in Central Prison, Madurai, on Parole forthwith for a period of 30 days.

For Petitioner

: Mr.M.Gururaj

For Respondents

: Mr.T.Mohan

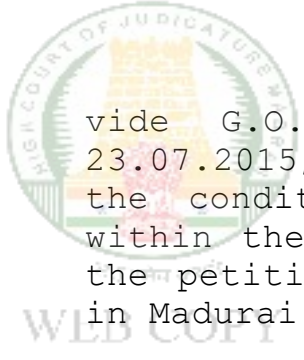
Additional Public Prosecutor

O R D E R

[Order of the Court was made by **M.V.MURALIDARAN, J.**]

The petitioner/wife of the life convict prisoner, namely, Marudhu @ Nalla Marudhu, S/o.Bose Thevar, Convict Prisoner No.3536, who has been incarcerated in the the Madurai Central Prison, has filed the present petition to grant Parole forthwith for a period of 30 days, to see his mother, who is in serious condition.

2. The learned counsel for the petitioner would submit that the life convict prisoner/husband of the petitioner herein, has been convicted for the offences punishable under Sections 147, 148, 341, 302 IPC r/w Section 149 IPC, 1860 and sentenced to undergo life imprisonment in S.C.No.506 of 1997 on 08.02.2000 by the learned first Additional District and Sessions Judge, Madurai. The conviction and sentence imposed upon the prisoner have been confirmed by the High Court along with the other co-accused. On considering the petitioner's husband's good conduct, his sentence was remitted and he was released vide G.O.Ms.No.1155/Home (Prison IV) Department, dated 11.09.2008 and later the remission was cancelled



vide G.O. (2D).No.241, Home (Prison IV) Department, dated 23.07.2015, for the reasons that the petitioner's Husband violated the conditions of remission by involving into criminal cases within the period of three years from the date of remission and the petitioner's husband has been remanded back and incarcerated in Madurai Central Prison and he is undergoing his life sentence.

3.The learned counsel would submitted that the petitioner's mother-in-law/convict's mother has been admitted in the Hospital and being diagnosed for a Gall Bladder failure medically termed as ''Acute Calculus Chelecystitis with choledocholithiasis'' vide Medical Certificate of M/s.Saravana Multi Speciality Hospital, dated 23.05.2017. The learned counsel for the petitioner further submitted that the petitioner's husband is the eldest son and he has bounden duty to take care of his mother namely Kaliammal, both financially and psychologically and therefore, he prays for parole for the petitioner for 30 days and the petitioner has sent a representation to the second respondent on 23.05.2017.

4.We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents. We have also gone through the papers available on record.

5.Considering the facts and circumstances of the case of the petitioner, the second respondent is directed to consider the representation of the petitioner, dated 23.05.2017 and pass orders on merits and in accordance with law within a period of 4 weeks from the date of receipt of copy of this order.

6. With the above direction, this Habeas Corpus Petition is disposed of.

Sd/-
Assistant Registrar(CS II)

/True Copy/

Sub Assistant Registrar

To

1.The Additional Director General of Police/
Inspector General of Prisons,
No.1, Gandhi Irwin Road,
Egmore, Chennai -8.

2.The Superintendent of Prison,
<https://hcservices.ecourts.gov.in/hcservices/>
Central Prison, Madurai District.



3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
+1cc to M/S.M.Gururaj, Advocate, SR.57841

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KM/CM
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