

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2018

CORAM

THE HONOURABLE DR.JUSTICE S.VIMALA
AND
THE HONOURABLE MRS.JUSTICE S.RAMATHILAGAM

H.C.P.No.1547 of 2017

Guna @ Gunasekaran

... Petitioner /the Detenue

Versus

The State Represented by its

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

2.The Superintendent,
Central Prison - I,
Puzhal, Chennai.

... Respondents

Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Habeas Corpus, to call for the records pertaining to the order of the 1st respondent dated 27.03.2017 in G.O.(D) No.388 and quash the same and direction directing the respondents to release the detenue, prematurely under the G.O.(Ms) No.1155 dated 11/09/2008 and produce the detenue, Guna @ Gunasekaran, S/o.Sudalai, Life convict prisoner Convict No.5565 detained at Central Prison-I, Puzhal, Chennai-66 before this Court and set him at liberty.

For Petitioner : Mr.Dr.S.Manoharan

For Respondents : Mr.R.Prathap Kumar

Additional Public Prosecutor

ORDER

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

This petition is filed seeking a direction to the respondent to release the detenu, prematurely invoking G.O.(Ms) No.1155 dated 11.09.2008 and to produce the detenu namely Guna @ Gunasekaran.

2.The learned Additional Public Prosecutor appearing for the respondents would submit that the detenu was found not eligible to the benefits of G.O.(Ms) No.1155 dated 11.09.2008 and therefore, his request was rejected. Still, it is submitted that the detenu was found eligible of the benefits of G.O.(Ms) No.64 and his name has been recommended for the premature release.

3.Under such circumstances, we direct the respondents to pass appropriate orders for the release of the detenu within a period of four weeks from the date of receipt of a copy of this order.

4.With these observations, this Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True copy//

Sub Assistant Registrar

ia/srk

To:

- 1.The Secretary,
The Government of Tamil Nadu,
Home Department,
Fort. St. George,
Chennai - 600 009.
- 2.The Superintendent,
Central Prison - I,
Puzhal, Chennai.
- 3.The Additional Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Manoharan, Advocate SR.No.42228

H.C.P.No.1547 of 2017

RJI (CO)
GN(26/07/2018)