

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2018

CORAM:

THE HONOURABLE Mr. JUSTICE C.T.SELVAM
AND
THE HONOURABLE Mrs. JUSTICE S.RAMATHILAGAM

H.C.P.No.1767 of 2018

Roja Venkatesh @ Venkatesh

... Petitioner

-Vs-

- 1.The State of Tamil Nadu
Rep. by Additional Chief Secretary to Government,
Home (Prison-IV) Department
Secretariat, Chennai - 600 009.
- 2.The Additional Director General of Police
and Inspector General of Prisons,
Chennai-600 008.
- 3.The Superintendent of Prison,
Central Prison-I,
Puzhal, Chennai-600 066.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, to produce the petitioner Roja Venkatesh, S/o.Periyasamy, Life Convict No.4858 aged about 46 years now confined in Central Prison 1, Puzhal and directing the respondents to consider him for premature release under G.O.(Ms) No.64 dated 01.02.2018.

For Petitioner : Mr.G.Ravikumar

For Respondents : Mr.R.Prathap Kumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by C.T.SELVAM, J.]

Petitioner, who is a Life convict No.4858, aged about 46 years, now confined in Central Prison-1, Puzhal, Chennai, seeks release pursuant to G.O.(Ms) No.64, Home (Prison-IV) Department dated 01.02.2018.

2. Heard learned counsel for petitioner, as also learned Additional Public Prosecutor for respondents.

3. Petitioner's wife has made a representation dated 07.05.2018 seeking relief under the said G.O.(Ms) No.64.

4. Learned Additional Public Prosecutor submits that the petitioner having been convicted for offence u/s 397 IPC, is not entitled to release under the said G.O.(Ms) No.64.

5. Learned counsel for petitioner submits that the petitioner has already served the sentence in respect of the case, in which he was convicted for offence u/s 397 IPC. If the submission of counsel for petitioner be true, there is no impediment to the petitioner being granted relief under the G.O referred to. Accordingly, this Court directs the respondents to consider the representation given by the wife of the petitioner and dispose of the same, within a period of two weeks.

6. Accordingly, this Habeas Corpus Petition shall stand disposed of.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To:

1. The Additional Chief Secretary to Government,
Home (Prison-IV) Department
Secretariat, Chennai - 600 009.
2. The Additional Director General of Police
and Inspector General of Prisons,
Chennai-600 008.
3. The Superintendent of Prison,
Central Prison-I,
Puzhal, Chennai-600 066.
4. The Public Prosecutor,
High Court, Madras.

+2 cc to Mr.G.Ravikumar, Advocate, S.R.No.76319

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RSV(CO)
SSM(04/12/2018)