



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2018

CORAM:

WEB COPY

**THE HONOURABLE DR. JUSTICE S.VIMALA
AND
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI**

HCP [MD]No.368 of 2014

K.Sankara Mariappan

: Petitioner

Vs.

The State of Tamil Nadu represented by

1. The Principal Secretary to Government,
Home (Prison) Department,
Tamil Nadu Government Chief Secretariat,
St.George, Fort, Chennai-600009.
2. The Additional Director General of Police/
Inspector General of Prisons,
C.M.D.A. Towers II,
No.1, Gandhi Irvin Road,
Egmore, Chennai - 600 008.
3. The Superintendent of Prisons,
Central Prison,
Madurai. 625 016.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus directing the respondents to produce before this Court the detainee Manoharan 36 years, son of Krishnasami, C.P.No.3410, presently lodged in Madurai Central Prison and set him at liberty forthwith as per the G.O.(Ms) No.1292/Home (Prison IV) Department/1994 dated 17.09.1998 and G.O.(Ms)No.1155/Home(PrisonIV) Department /2008 dated 11.09.2008.

For Petitioner : Mr.R.Anand
For Respondents : Mr.K.Chellapandian
Additional Advocate General
Assisted by Mr.K.Dinesh Babu
Additional Public Prosecutor

**ORDER****[Order of the Court was made by S.VIMALA, J]**

This petition has been filed, seeking direction to the respondents to produce the body of the detenu, who is confined at Central Prison, Madurai and to release him forthwith by extending the benefit of G.O.(Ms) No.1292/Home (Prison IV) Department/1994 dated 17.09.1998 and G.O.(Ms)No.1155/Home(PrisonIV) Department / 2008 dated 11.09.2008.

2. The petitioner has submitted a representation seeking benefit of G.O.(Ms) No.1292/Home (Prison IV) Department/1994 dated 17.09.1998 and G.O.(Ms)No.1155/Home(PrisonIV) Department /2008 dated 11.09.2008.

2.1. There is an undertaking on behalf of the learned Additional Advocate General that the representation of the petitioner would be considered and appropriate orders be passed.

3. Under such circumstances, we direct the first respondent to consider the representation of the detenu's brother and to pass suitable orders thereon on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

4. With the above directions, this Habeaus Corpus Petition is disposed of.

Sd/-

Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Principal Secretary to Government,
Home (Prison) Department,
Tamil Nadu Government Chief Secretariat,
St.George, Fort, Chennai-600009.

2.The Additional Director General of Police/
Inspector General of Prisons,
C.M.D.A. Towers II,
No.1, Gandhi Irvin Road,
Egmore, Chennai - 600 008.



3. The Superintendent of Prisons,
Central Prison,
Madurai. 625 016.

4. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

DAS/RMI

TE/RSK/SAR-1 : 25/09/2018 : 3P/5C

ORDER MADE IN
HCP [MD].No.368 of 2014
26.03.2018