



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2018

CORAM:

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

HCP [MD]No.423 of 2014

Kannusamy : Petitioner

Vs.

1.The State of Tamil Nadu, Rep. By,
The Principal Secretary to Government,
Home (Prison) Department,
Tamil Nadu Government, Chief Secretariat,
St.George Fort, Chennai -9.

2.The Additional Director General of Police/
Inspector General of Prison,
C.M.D.A.Towers II,
No.1, Gandhi Irvin Road,
Egmore, Chennai-8.

3.The Superintendent of Prison,
Tricy Central Prison
Tricy.

: 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 the body and person of the detenu by name Kannusamy son of Ganesan, aged about 55 years now lodged and confined at Central Prison, Trichy before this Court and set him at liberty forthwith by extending the benefits of the Government order in G.O(Ms).No.1155/Home(Pri IV) Department /2009 dated 11.09.2008.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.K.Chellapandian, AAG
assistant 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, Trichy and to release him forthwith by extending the



benefit of G.O.Ms.No.1155/Home (Pri IV) Department, dated 11.09.2008.

2. The petitioner has submitted a representation seeking benefit of G.O.Ms.No.1155/Home (Pri IV) Department, 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 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(CS-II)

/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 -9.

2.The Additional Director General of Police/
Inspector General of Prison,
C.M.D.A.Towers II, No.1, Gandhi Irvin Road,
Egmore, Chennai-8.

3.The Superintendent of Prison,
Tricy Central Prison, Tricy.

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

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das/rmi
KK/SKN/SAR-1/27.09.2018/2P-5C