



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**

H.C.P. (MD) No.474 of 2014

S.Muthurani

: Petitioner

Vs.

1. State of Tamil Nadu, Rep. by
The Principal Secretary to Government,
Home (Prison) Department,
Tamil Nadu Government Chief Secretariat,
Fort. St. George,
Chennai-600 009.
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 detinue Subbiah son of Nagalingam, aged about 40 years, C.P.No.3163, presently lodged in Madurai Central Prison and set him at liberty forthwith as per the G.O.(Ms)No.1522/Home (Prison IV) Department/1997, dated 20.10.1997 and G.O.(Ms)No.1155/Home (Prison IV) 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.1522/Home (Prison IV) Department/1997, dated 20.10.1997 and G.O.Ms.No.1155/Home (Prison IV) Department/2008, dated 11.09.2008.

2. The petitioner has submitted a representation seeking benefit of G.O.Ms.No.1522/Home (Prison IV) Department/1997, dated 20.10.1997 and G.O.Ms.No.1155/Home (Prison IV) 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 wife 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 Habeas Corpus Petition is disposed of.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary to Government,
Home (Prison) Department,
Tamil Nadu Government Chief Secretariat,
Fort. St. George,
Chennai-600 009.
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.

RMI/DAS

TE/SB/SAR-2 : 26/06/2018 : 3P/5C

Order made in
H.C.P. (MD) No.474 of 2014
Dated: 26.03.2018