



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.1128 of 2016

G.Avudai Thangam

: 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 detenu Chinna Muniyandi @ Muniasami, son of Gurusami Thevar aged about 51 years C.P.No.3446, presently lodged in Madurai Central Prison and set him at liberty forthwith as per the G.O.Ms.No.1258/Home (Prison IV) Department/1999, dated 16.09.2009.

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.1258/Home (Prison IV) Department/1999, dated 16.09.2009.



2. The petitioner has submitted a representation seeking benefit of G.O.Ms.No.1258/Home (Prison IV) Department/1999, dated 16.09.2009.

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(CS-II)

/True Copy/

Sub Assistant Registrar(CS-II)

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,
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- 3.The Superintendent of Prisons,
Central Prison, Madurai. 625 016.
- 4.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

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DAS/RMI
ES/SV/SAR 2/03.10.2018/2P/5C