

IN THE HIGH COURT OF JUDICIATURE AT MADRAS

DATED : 19.12.2019

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

H.C.P.No.739 of 2019

K.Lawrence
W/o.Gabriel

Petitioner

versus

The State of Tamil Nadu, Rep. by

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

2.The Additional D.G.P./IG of Prisons,
Whannels Road, Egmore,
Chennai - 600 008.

3.The Superintendent,
Central Prison-I, Puzhal,
Chennai - 600 066.

Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Habeas Corpus, calling for the records in the order No.4903/R1/2018 dated in the month of December 2018, passed by the 3rd respondent and quashing the same as illegal and consequently directing the respondents to produce the Petitioner's husband in person before this Court, the detenu Gabriel, S/o.Devasahayam, bearing L.ct.No.4903, aged about 47/2019 years, a life convict prisoner presently confined at Central Prison-I, Puzhal, Chennai and thereby to release him prematurely as per the provisions of G.O.Ms.No.64/Home Prison(IV) Department/2018, dated 01.02.2018.

For Petitioner : Mr.D.Mariojohnson

For Respondents: Mr.C.Emiliyas
Additional Advocate General
Assisted by Mr.R.Prathap Kumar
Additional Public Prosecutor

O R D E R

[Order of this Court was made by R.SUBBIAH,J.]

This Habeas Corpus Petition has been filed for a direction to produce the detenu, namely, Gabriel, S/o.Devasahayam, aged about 47 years, on premature release in considering G.O.(MS)No.64/Home Prison(IV) Department/2018, dated 01.02.2018 on the file of the first respondent, now confined at Central Prison-I, Puzhal, Chennai and set him at liberty.

2. Today, when the petition is taken up for consideration, the learned Additional Advocate General appearing for the respondents submitted that, the request of the petitioner for premature release of her husband, namely, Gabriel, was rejected by the Government in G.O.(D).No.1326 dated 07.11.2019 and he has also produced a copy of the said order.

3. In view of the above, this Habeas Corpus Petition is closed. However, the petitioner is at liberty to challenge the order, in the manner known to law.

Sd/-

Assistant Registrar (JJ Act)

//True Copy//

Sub Assistant Registrar

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To

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

2.The Additional D.G.P./IG of Prisons,
Whannels Road, Egmore,
Chennai - 600 008.

3.The Superintendent,
Central Prison-I, Puzhal,
Chennai - 600 066.

4.The Public Prosecutor,
High Court, Madras.

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