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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19..06..2019

CORAM

THE HONOURABLE MR JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

HABEAS CORPUS PETITION NO.826 OF 2019

S.Selvi

... Petitioner

-Versus-

1. The State of Tamil Nadu
Rep. by its Home Secretary,
Government of Tamil Nadu,
Fort St. George, Chennai.
2. The State of Tamil Nadu,
Rep. by its Principal Secretary,
Home (Prison) Department,
Government of Tamil Nadu,
Fort St. George, Chennai.
3. The Additional Director General of Police /
Inspector General of Prisons,
C.M.D.A. Towers II,
No.I, Gandhi Irvin Road,
Egmore, Chennai 600008.
4. The Superintendent of Prison,
Central Prison-I,
Puzhal, Chennai.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents to reckon the period of remission as the sentence served by the petitioner's son as more than fifteen years and consequently to release the petitioner's son namely, Saravanan, aged about 39 years, who is a life convict No.562 and lodged at Central Prison, Puzhal-I, Chennai, by pre-mature release in accordance with G.O.(Ms) No.64, dated 01.02.2018 as requested by the petitioner by way of representation dated 15.04.2019 and set him at liberty.



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For Petitioner

: Mr.C.Murugendran

For Respondents

: Mr.C.Iyyapparaj, APP for
R1 to R4

ORDER

[Order of the court was made by Justice M.M.SUNDRESH]

When the matter is taken up for hearing, the learned Additional Public Prosecutor submitted that a proposal has been sent to the Government and orders are awaited.

2. This is not the first occasion where this court is dealing with the issue of pre-mature release. We are dealing with numerous such cases wherein orders of the Government on the proposals sent by the jail authorities are awaited. Therefore, without expressing anything on merits, we direct the respondents 1 and 2, as the case may be, to pass appropriate orders on the proposal sent within a period of eight weeks from the date of receipt of a copy of this order.

3. In the result, this Habeas Corpus Petition is disposed of accordingly with the above directions.

Sd/-

Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

kmk

To

1. The Home Secretary, Government of Tamil Nadu,
Fort St. George, Chennai.
2. The Principal Secretary, Home (Prison) Department,
Government of Tamil Nadu, Fort St. George, Chennai.
3. The Additional Director General of Police /
Inspector General of Prisons,
C.M.D.A. Towers II, No.I, Gandhi Irvin Road,
Egmore, Chennai 600008.



4. The Superintendent of Prison,
Central Prison-I, Puzhal, Chennai.

+1cc to Mr.C.Murugendran, Advocate, S.R.No.50055

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H.C.P.No.826 of 2019

KS (CO)
CS/25/07/2019
CS/13/08/2019