

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2019

CORAM:

THE HONOURABLE Mr. JUSTICE C.T.SELVAM
AND
THE HONOURABLE Mrs. JUSTICE S.RAMATHILAGAM

H.C.P.No.2802 of 2018

S.Sankar Raj

... Petitioner

-Vs-

1. The State of Tamil Nadu,
Rep. by its Secretary,
Department of Home,
Fort St. George, Chennai - 600 009.
2. The Superintendent of Central Prisons,
Central Prison,
Trichy-20, Trichy District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the first respondent to consider the representation of the petitioner dated 13.11.2018 for premature release as per G.O. (Ms) No.64, Home (Prison IV) Department dated 01/02/2018 to the detenu Panneerselvam, son of Swamikannu, aged 62 years, life convict No.87926, now under the care and custody of second respondent herein before this Hon'ble Court and set him at liberty to secure the ends of justice.

For Petitioner : Mr.R.Shankarasubbu

For Respondents: Mr.R.Prathap Kumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by C.T.SELVAM, J.]

Petitioner is the brother of Convict Prisoner viz., Panneer Selvam, (Convict No.87926 housed in Central Prison, Trichy), S/o.Samikannu, informing that the prisoner is 62 years of age,

has been in custody from 30.11.1992 and presently is suffering from Paranoid Schizophrenia Diabetes as also other ailments and is undergoing treatment in keeping with orders of this Court in HCP No.550 of 2014, seeking relief under G.O.(Ms) No.64, Home (Prison-IV) Department dated 01.02.2018.

2. We have heard learned counsel for petitioner as also learned Additional Public Prosecutor for respondents.

3. A perusal of G.O (Ms) No.64 reveals that the situations wherein a prisoner may be released in keeping with Rule 632 of Tamil Nadu Prison Manual is also covered thereby.

4. In the circumstances, there shall be a direction to the respondents to consider the release of the petitioner's brother under G.O.(Ms.) No.64, Home (Prison IV) Department dated 01.02.2018, within a period of two weeks from the date of receipt of a copy of this order.

5. Accordingly, this Habeas Corpus Petition shall stand disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kmi

To:

1. The Secretary,
Government of Tamil Nadu,
Department of Home,
Fort St. George, Chennai - 600 009.
2. The Superintendent of Central Prisons,
Central Prison,
Trichy-20, Trichy District.
3. The Public Prosecutor,
High Court, Madras.

4. The Joint Secretary to Government,
Public (Law & Order) Department,
Fort St.George,
Chennai-9

H.C.P.No.2802 of 2018

nr 25/02/2019



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