



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Fifteenth day of December Eight Thousand Two Hundred
One

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PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN
and
The Hon`ble Mr.Justice B.PUGALENDHI

CRL MP(MD) No.10458 of 2018

IN

CRL A(MD) No.64 of 2018

MANI@MANIMARAN

... PETITIONER/APPELLANT

Vs

THE STATE OF TAMIL NADU,
THE INSPECTOR OF POLICE,
SILAIMAN CIRCLE,
SILAIMAN POLICE STATION,
MADURAI.
(CRIME NO.181/2005)

... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to issue a direction to directing the Respondents to release the appellant/ Mani alias Manimaran S/o.Rasu Servai on parole for the period of 15 days who confined at Madurai Central Prison to perform the final rituals to his mother R.Veeralakshmi pending disposal of the Criminal Appeal in C.A.NO.64 of 2018 on the file of this Honourable Court.

Prayer in CRL A(MD). 64/ 2018 :

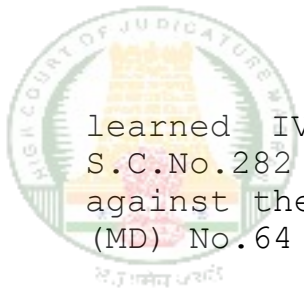
To call for the records in S.C.No.282 of 2011 dated 28.11.2017 on the file of the IV Additional District and Sessions Judge, Madurai and set aside the same and acquit the Appellant.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.R.VENKATESAN, Advocate for the petitioner and of Mr.K.DINESH BABU Additional Public Prosecutor for the Respondents the court made the following order:-

(Order of this Court made by P.VELMURUGAN, J.,)

This petition is filed for a direction to release the appellant on parole for a period of 15 days for the purpose of performing the final rituals of his deceased mother R.Veeralakshmi.

2. The petitioner/ appellant is confined at Central Prison, Madurai pursuant to the conviction and sentence imposed by the



learned IV Additional District and Sessions Judge, Madurai in S.C.No.282 of 2011. As against the conviction and sentence imposed against the appellant, this petitioner had filed an appeal in CrI.A. (MD) No.64 of 2018 before this Court and the same is pending.

3. The learned counsel for the petitioner/appellant submits that the petitioner's mother died on 15.12.2018 at about 5:00 a.m. in the morning. He would further submit that since the petitioner/appellant being the younger son, he has to attend his mother's funeral ceremony as per the Hindu customs which is to be performed on 15.12.2018 at Madurai between 5:00 p.m to 6:00 p.m.

4. Learned counsel for the petitioner/appellant would further submit that earlier CrI.M.P.(MD) 9868 of 2018 has been filed before this Court seeking interim bail for a period of 15 days to see the petitioner's mother, who was in serious health condition. Since the jail authorities rejected the request to grant permission for the same, the said application is still pending before this Court. In the meanwhile, since the mother of the petitioner/appellant has passed away on 15.12.2018, the petitioner's brother has come forward with the present petition seeking interim bail for the petitioner/appellant to attend the funeral ceremony of his mother.

5. Mr.K.Dinesh babu, learned Additional Public Prosecutor appearing for the respondent police also verified and confirmed the same.

6. In view of the above, this Court is inclined to grant interim bail to the petitioner/appellant with the following conditions:-

(i) The Superintendent of Central Prison, Madurai is directed to release the petitioner/appellant by name Mani @ Manimaran, S/o Rasu Servai from 15.12.2018 to 17.12.2018 on custodial bail after following the usual procedure and other safeguarding measures in accordance with the Prison Manual, by today before 5:00 p.m to take part in the funeral ceremony, which is to be held between 5:00 p.m. to 6:00 p.m. The petitioner/appellant shall be taken back to the Central Prison, Madurai on 17.12.2018 before 05.00 p.m.

(ii) The Superintendent of Central Prison, Madurai shall provide escort with civil dress to the petitioner/appellant from the Central Prison, Madurai from the time he leaves the Central Prison, Madurai and till such time, he is taken back to the Central Prison, Madurai on the said date and time as ordered by this Court.

(iii) As the petitioner/appellant is in continuous custody, the Government shall bear the expenditure for providing escort to the petitioner/appellant.

(iv) The petitioner/appellant shall be of good behaviour and shall not commit any offence during his leave. The



petitioner/appellant is liable to be recalled immediately in case he violates any of the conditions.

7. The petition is ordered accordingly.

sd/-

15/12/2018

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE IV ADDITIONAL DISTRICT AND SESSIONS JUDGE,
MADURAI.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.
- 3 THE INSPECTOR OF POLICE.
SILAIMAN CIRCLE, SILAIMAN POLICE STATION,
MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to Mr.R.VENKATESAN Advocate SR.No.23379

PS/AC/SAR-3/15.12.2018/3P/6C

ORDER

IN

CRL MP(MD) No.10458 of 2018

IN

CRL A(MD) No.64 of 2018

Date :15/12/2018