



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2019

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P(MD)No.64 of 2014

K.Subatra

... Petitioner

Vs.

1.The Home Secretary,
State of Tamilnadu,
Secretariat, St.George Fort,
Chennai.

2.The Superintendent of Central Prison,
Central Prison Palayamkottai,
Tirunelveli District.

... Respondents

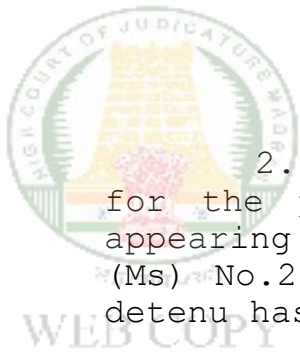
Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents to produce the detenu Karuppasamy, aged about 46 years, S/o Chellaiah, now confined at Central Prison, Palayamkottai, before this Court and set him at liberty.

For Petitioner	:	Mr.A.Sahayaphilominraj
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 M.SATHYANARAYANAN,J)

The petitioner is the wife of the detenu and the detenu has faced the trial for the commission of offence under Section 302 I.P.C., in S.C.No.328 of 1991, before the Court of Sessions Judge, Tirunelveli and vide judgment dated 28.01.1992, he was convicted and sentenced accordingly and he was acquitted by this Court in C.A.No.734 of 1992, vide judgment dated 27.03.2001. The State preferred an appeal, challenging the legality of the acquittal and the Honourable Supreme Court of India has reversed the same and therefore, he was taken into custody. According to the detenu, he has completed the required period and therefore, claiming the benevolence and benefit of G.O.Ms.No.1155, dated 11.09.2008, he has filed this Habeas Corpus Petition.



2. Heard the submissions of the learned Counsel appearing for the petitioner and the learned Additional Advocate General appearing for the State and he would state that in terms of G.O. (Ms) No.2214, Home (Prison -IV) Department, dated 31.10.2014, the detenu has been released prematurely subject to certain conditions.

3. In view of the above said development, nothing survives for further adjudication in this Habeas Corpus Petition and therefore, it is closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Home Secretary,
State of Tamilnadu,
Secretariat,
St.George Fort,
Chennai.

2.The Superintendent of Central Prison,
Central Prison Palayamkottai,
Tirunelveli District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P(MD)No.64 of 2014
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PM(CO)
TR (24.06.2019) 2P 4C