



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

W.P. (MD) No.8717 of 2015

and

M.P. (MD) No.1 of 2015

Kadharbee

... Petitioner

Vs.

The State of Tamil Nadu,
represented by its Principal Secretary,
Home (PRI.IV) Department,
Fort St.George,
Chennai.

... Respondent

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to remit the unexpired portion of the sentence of the imprisonment for life made in S.C.No.62 of 1992 by the Additional Sessions Court -IV, dated 12.06.2008, on the petitioner's husband (Sikkandar @ Raja; Prisoner No.5026) by considering the petitioner's remission petitioner dated 10.08.2013 in the light of G.O.Ms.No.1155, Home (PRI-IV) Department, dated 11.09.2008 within the stipulated time as fixed by this Court.

For Petitioner : Mr.M.Eswaran

For Respondent : 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 husband of the life convict /detenu and the detenu has faced the trial in S.C.No.62 of 1992, on the file of Court of Additional Sessions Judge, for the commission of offence under Section 302 I.P.C., and allied offences and vide judgment dated 12.06.2008, he was convicted for the offence under Section 302 I.P.C. and was sentenced accordingly and the appeal preferred by him, challenging the legality of the conviction and sentence, was also ended in dismissal vide judgment dated 21.07.2009 and a Special Leave Petition preferred against the same



was also dismissed.

2. The detenu claimed the benefit and benevolence of G.O.Ms.No.1155 of the first respondent dated 11.09.2008.

3. 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.1346, Home (Prison -IV) Department, dated 03.09.2018, the detenu has been released prematurely subject to certain conditions.

4. In the light of the above said development, nothing survives for further adjudication in this Writ Petition and therefore, it is closed. No costs. Consequently, the connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Principal Secretary,
The State of Tamil Nadu,
Home (PRI.IV) Department,
Fort St.George,
Chennai.

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

W.P. (MD)No.8717 of 2015
and
M.P. (MD)No.1 of 2015
12.06.2019

AL(CO)

TR (01.07.2019) 2P 3C