

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2021

CORAM :

THE HON'BLE MR. JUSTICE N.KIRUBAKARAN

and

THE HON'BLE MR. JUSTICE V.PARTHIBAN

CrI.O.P.No.9185 of 2017

1. Nallathambi
2. Babu
3. Saravana Kumar
4. Rajaramakrishnan
5. Sridhar
6. Gokul Kumaravel
7. Arulprakash
8. Purushothaman
9. Tamilzh Martin
10. Sivakumar
11. Saravanan
12. Sathiyar
13. Prasanna
14. Vetritamizhan
15. Ponarasu
16. Thomas
17. Mani
18. Thanigaivel
19. Manikandan
20. Rajkumar
21. Gopalakrishnan
22. N.Baskar
23. P.D.Sajjan Raj
24. A.Srinivasarao
25. A.Sakthivel



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... Petitioners

Vs.

1. State Rep. by
Inspector of Police
T-10, Thirumullaivoyal Police Station
Thirumullaivoyal
Thiruvallur District.
2. The Home Secretary
Government of Tamil Nadu
Fort St. George
Chennai – 600 009.
3. The Director General of Police
Chennai.
4. The Commissioner of Police
Chennai.
5. The General Manager
Tamil Nadu State Marketing Corporation Ltd.
Chennai.
[R2 to R5 *suo motu* impleaded by
this Court on 05.05.2017]
6. M/s. Quanta Engineers and Promoters (P) Ltd.
No.A20, Anna Nagar East
60th Street, Anna Nagar East
Chennai – 600 102.
7. M/s. Real Value Promoters (P) Ltd.
Ambojini, No.17-1, Poes Road
II Street, Teynampet
Chennai – 600 018.
[R6 & R7 *suo motu* impleaded
by this Court on 22.12.2017]
8. Best Vocational Training Centre
No.24, II Street, V.O.C. Nagar
Tanjore District.

9. Tr. S.S.R.Rajkumar
Honourary Secretary
455, Gochen Home
Anna Salai, Chennai – 600 018.
10. Tr. S.N.Janardhanan
Secretary
No.57, Fort Round
Bharathy Salai
Vellore – 632 001.
11. Tr. R.Arulappan
Additional Public Prosecutor
(Retd.), Honourary Secretary
No.49, Manickka Salai
Anna Nagar, Cuddalore.
12. LN. Tr.Dominic Savior
Honourary Secretary
No.57, Nethaji Road
Villupuram.
13. Tr. Munuvar
Honourary Secretary
Don Matriculation School
Salai Vinayakar Kovil Street
Dharmapuri.
14. Tr. T.C.Vijayaraghavan
Honourary Secretary (Resigned)
No.26, Narayanan Street
Peramanur, Salem – 7.
15. Tr. Na.Manoharan
Honourary Secretary
No.68, Bharathy Colony
II Street West
Peelamedu, Coimbatore – 641 004.

16. Tmt. Sundari Subramanian
Honourary Secretary
No.24, II Street, V.O.C.Nagar
Thanjavur.
17. Tr. N.Vallinayagam
Honourary Secretary
TNDPAS, No.224
South Veli Street
Madurai – 625 001.
18. Tr. Baheeratha Nachiappan
Honourary Secretary
No.15, Megalai Street
Senthil Tamil Nagar
Sevagangai.
19. Tr. Ramasamy
Honourary Secretary (Resigned)
No. 1/358, Bharathi Nagar
Collector Office Post
Ramanathapuram.
20. Tr. Masilamani
Honourary Secretary (Resigned)
No.248, Theppam (East)
Upstairs, Virdhunagar.
21. Tr. G.Sundar
Honourary Secretary
No.1, Drowpathy Amman Sannathi
Nagapattinam.
22. Probation Officer
Honourary Secretary
Collectorate
Nagerkovil.

23. Tr. Mehalingam
Honourary Secretary
242, Tiruchendur Road
Red Cross Compound
Palayamkottai
Tirunelveli.
24. Tr. N.M.A.Hussain
Honourary Secretary
Puthu Nagar Main Road
2/319, Samathi Poo Street
Mannivakkam, Chennai – 48.
25. Tr. Sevai Govindaraj
Honourary Secretary (I/C)
DWFC Premises
Kalairangam, Trichy.
[R8 to R25 *suo motu* impleaded as
per order of this Court dated 22.12.2017]
26. Gnaneswaran
Honourary Treasurer of the
Discharged Prisoner's Aid Society
No.455, Gochen Home, Anna Salai
Chennai – 600 018.
[R26 *suo motu* impleaded as per
order of this Court dated 18.04.2018]
27. Mr. T.S.Saravanan
Managing Director
M/s. Real Value Promoters
No.17-1, Poes Road, II Street
Teynampet, Chennai – 18.
[R27 *suo motu* impleaded as per
order of this Court dated 27.04.2018]

28. The Commissioner of Food
Safety, Fifth Floor, DMS Office Building
DMS Campus, Teynampet
Chennai – 600 006.

29. The SIET College
Rep. by its Secretary
No.56, K.B.Dasan Road
Teynampet
Chennai – 600 018.

... Respondents

[R29 *suo motu* impleaded as per
order of this Court dated 01.07.2021]

Prayer: This Criminal Original Petition filed under Section 439 Cr.P.C. to
enlarge the Petitioners on bail in Crime No. 1086 of 2017 on the file of the First
Respondent Police, pending investigation.

For Petitioners : Mr. N.Chandrasekaran

For Respondents : Mr.Ravikumar Paul
Senior Counsel-Amicus Curiae

Mr. Babu Muthumeeran (For R1 to R4)

Mr. P.Balathandayutham

State Government Counsel

Mr. K.V.Sridharan (For R14)

Mr. K.Sathish Kumar (For R5)

Mr. S.Dhayaleswaran (For R7 & R27)

Mr. Mushtaq Ahmed (For R13)

Mr. T.S.Baskaran (For R9)

Mr. M.Murali (For R6)

Mr. V.Prem Kumar (For R24)

Mr. Pitty Parthasarathy (For R25)

Mr. T.Thiyagarajan (For R15)

Mr. S.Ganeswaran (For R26)

Mr. V.Arulappan /Party-in-person

(For R11)
Mr. S.Subbiah, Senior Counsel
For M/s. Elezhebeth Ravi (For R17)
Mr. A.Muniapparaj
State Government Counsel (Crl. Side)

ORDER

(Order of the Court was made by N.KIRUBAKARAN,J.)

The matter was heard through "Video Conference".

2. When the matter is called today, Mr. A.Muniapparaj, Learned State Government Counsel (Criminal Side) has filed a Status Report of the Honourary Secretary, Tamil Nadu Discharged Prisoners' Aid Society, Chennai - 600 006 and Deputy Inspector General of Prisons, Trichy Range, Trichy stating that Members of the Central Committee have been constituted vide G.O. Ms. No.225, Home (Pr.III) Department, dated 08.06.2020 by their designation by virtue of the provisions contained in Clause 6 (1) of the Articles of Association of the said Society. The following officers are made as Members of the Central Committee : -

- (1) Deputy Inspector General of Prisons,
Chennai Range, Chennai.
- (2) Deputy Inspector General of Prisons,
Vellore Range, Vellore.
- (3) Deputy Inspector General of Prisons,
Trichy Range, Trichy.
- (4) Deputy Inspector General of Prisons,

Coimbatore Range, Coimbatore.
(5) Deputy Inspector General of Prisons,
Madurai Range, Madurai.

As per clause 13 of the Articles of Association, the Central Committee shall carry on the work of the society and it shall be responsible not only for the entire administration of State Level Committee, but also for District Level Committee. Certain amendments have been proposed to be made in the Articles of Association of Tamilnadu Discharged Prisoners' Aid Society, which are necessary.

3. However, it is suggested by Mr. Ravikumar Paul, Learned Senior Counsel, who is appointed by this Court as *Amicus Curiae* that a Member from the Tamil Nadu State Legal Services Authority could also be an Ex-officio Member of the Central Committee, which has to be constituted as per G.O. Ms. No.225, Home (Pr.III) Department, dated 08.06.2020. Therefore, the said G.O.Ms. No.225, Home (Pr.III) Department, dated 08.06.2020 is required to be amended to include a nominee from the Tamil Nadu State Legal Services Authority as Ex-officio Member of the Central Committee. The Central Committee shall look after not only the entire administration of State Level Committee, but also District Level Committee including interest of the discharged Prisoners.

4. With regard to the payment to be made by the Seventh Respondent is concerned, as per the undertaking given during the earlier hearing on 29.07.2021, arrears have to be paid by August, 2022. The said order is not modified and the Seventh Respondent shall pay the amount within that period. Hence, no further orders are required in this matter.

5. With the above directions, this Criminal Original Petition is disposed of.

[N.K.K., J.] [V.P.N., J.]
11.08.2021

Maya

Speaking Order/Non-speaking Order

Index : Yes/No

Internet: Yes/No

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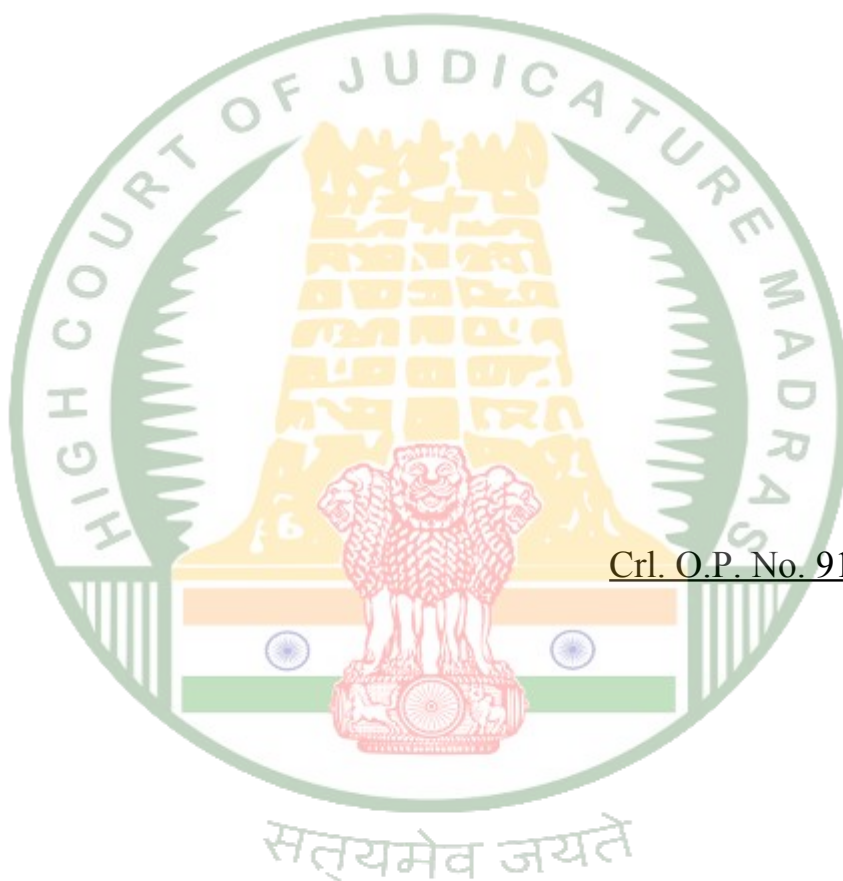
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