



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2022

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Mrs. Justice R.HEMALATHA

W.P.No.15701 of 2021

Geetha

.. Petitioner

Vs.

1.State of Tamil Nadu represented by
The Secretary,
Department of Home (Prison),
Secretariat, Fort St.George,
Chennai - 600 009.

2.The Additional Director General of Prisons,
Whannels Road,
Egmore, Chennai - 600 008.

3.The Superintendent of Prison,
Central Prison, Vellore.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to consider the petitioner's representation dated 07.07.2021 to release the detenu Mohan, son of Kannan, aged about 70 years, now confined at the Central Prison, Vellore, based on G.O.Ms.No.64/18, Home (Prison-IV) Department, dated 01.02.2018.

For Petitioner : Mr.R.Sankarasubbu

For Respondents: Mr.Hasan Mohamed Jinnah Sr. PP
Assisted by
Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

[Made by P.N.PRAKASH, J.]

Seeking premature release of the convict prisoner Mohan, son of Kannan, aged about 70 years, under G.O.Ms.No.64, Home (Prison-IV) Department, dated 01.02.2018, the petitioner has filed the present petition for a mandamus.



2. Heard Mr.Hasan Mohamed Jinnah, learned Additional Public Prosecutor assisted by Mr.R.Muniyapparaj, learned Additional Public Prosecutor appearing for the respondents.

3. On instructions, Mr.Hasan Mohamed Jinnah, learned Additional Public Prosecutor submitted that Mohan (C.T.No.23734) faced a prosecution in S.C.No.01 of 1993 before the District and Sessions Court, Tiruvannamalai and was convicted and sentenced on 25.06.2007 for the the offences under Sections 395, 419, 302 (3 counts) r/w 149 and 307 (4 counts) r/w 149 IPC; his appeal in C.A.No.613 of 2007 was dismissed by this Court on 26.02.2008 and his further appeal in S.L.P.(Crl).No.5528 of 2008 was also dismissed by the Supreme Court on 11.08.2008; while that being so, a representation dated 07.07.2021 (sic 05.07.2021) has been submitted by the petitioner to the first respondent for premature release of her husband Mohan under G.O.Ms.No.64, Home (Prison-IV) Department, dated 01.02.2018 and the same is under consideration.

4. In such view of the matter, we direct the first respondent to dispose of the said representation within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

nsd

To

- 1.The Secretary,
Department of Home (Prison),
Secretariat, Fort St.George,
Chennai - 600 009.
- 2.The Additional Director General of Prisons,
Whannels Road,
Egmore, Chennai - 600 008.
- 3.The Superintendent of Prison,
Central Prison, Vellore.
- 4.The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

W.P.No.15701 of 2021

KSM(CO)
SB(17/02/2022)