



W.M.P.No.30730 of 2023
in W.P.No.31104 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2023

CORAM

THE HONOURABLE MR. JUSTICE **S.S. SUNDAR**
AND
THE HONOURABLE MR. JUSTICE **SUNDER MOHAN**

W.M.P.No.30730 of 2023
in
W.P.No.31104 of 2023

Ayyappan

... Petitioner

Vs.

1.The State rep. By its
The Home Secretary,
Prison IV Department, Fort St. George,
Chennai – 9.

2.The Director General of Prisons and
Inspector General of Prisons,
Whannels Road,
Egmore, Chennai – 8.

3.The Deputy Inspector General of Prisons,
Whannels Road, Egmore, Chennai – 8.

4.The Superintendent of Prison,
Central Prison at Puzhal I,
Thiruvallur District – 600 066.

... Respondents

Writ Miscellaneous Petition filed under Article 226 of the
Constitution of India to direct the fourth respondent to grant interim



W.M.P.No.30730 of 2023
in W.P.No.31104 of 2023

bail until disposal of writ petition pending before this Court to the petitioner Mr.Ayyappan, S/o.Pitchandi.

For Petitioner : Mr.M.Mohamed Saifulla
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
assisted by Mr.C.Aravind

ORDER

(Order of the Court was made by **S.S. SUNDAR, J.**)

In similar cases considering the fact that the Hon'ble Chief Minister has recommended the case of the petitioners therein for premature release based on their request and the same is pending before Hon'ble Governor, this Court has granted interim bail to similarly placed persons subject to conditions.

2. Mr.E.Raj Thilak, learned Additional Public Prosecutor has no serious objection for granting similar relief to the petitioner/prison inmate.



**W.M.P.No.30730 of 2023
in W.P.No.31104 of 2023**

3. The learned counsel appearing for the petitioner states that the condition imposed in similar cases to furnish two solvent sureties is onerous and that instead of two solvent sureties, the prison inmate may be directed to furnish two sureties of which one will be a blood relative.

4. Considering the submissions made on both sides and the orders passed by this Court in similar cases, this Court is inclined to grant interim bail to the petitioner/prison inmate subject to the following conditions:

- i. The prison inmate, namely, Mr.Ayyappan, S/o.Pitchandi, Convict No.1441, who is now confined at Central Prison, Puzhal-I, shall be released as an interim measure for a period of three months subject to furnishing bail bond for the value of Rs.25,000/- (Rupees twenty five thousand only) with two sureties each for a likesum of which one will be a blood relative to the satisfaction of the trial Court [Additional District and Sessions Judge, Kanyakumari];
- ii. Prison inmate is directed to report before Thirukurungudi Police Station, Tirunelveli District once in a month. The



WEB COPY



W.M.P.No.30730 of 2023
in W.P.No.31104 of 2023

State authorities shall submit a report with regard to the conduct of the prison inmate before expiry of the period of three months. Prison inmate will not leave the State of Tamil Nadu without informing the local Police Station in writing at least three days in advance and shall keep them posted about his whereabouts.

5. Accordingly, this Writ Miscellaneous Petition is ordered.

(S.S.S.R., J.) (S.M., J.)
09.11.2023

Index : Yes / No
Neutral Citation: Yes/No
mmi

To

1. The Home Secretary,
Prison IV Department, Fort St. George,
Chennai – 9.
2. The Director General of Prisons and
Inspector General of Prisons,
Whannels Road,
Egmore, Chennai – 8.
3. The Deputy Inspector General of Prisons,
Whannels Road, Egmore, Chennai – 8.



**W.M.P.No.30730 of 2023
in W.P.No.31104 of 2023**

WEB COPY

- 4.The Superintendent of Prison,
Central Prison at Puzhal I,
Thiruvallur District – 600 066.
- 5.The Inspector of Police,
Thirukurungudi Police Station,
Tirunelveli District.
- 6.The Additional District and Sessions Judge,
Kanyakumari.
- 7.The Public Prosecutor,
High Court, Madras.



WEB COPY



**W.M.P.No.30730 of 2023
in W.P.No.31104 of 2023**

**S.S. SUNDAR, J.
and
SUNDER MOHAN, J.**

mmi

**W.M.P.No.30730 of 2023
in
W.P.No.31104 of 2023**

09.11.2023