



W.P.No.33214/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.33214/2023 & WMP.No.32929/2023

S.S.Megala

... Petitioner

Vs.

1.State of Tamil Nadu
rep.by the Secretary to Government
Home, Prohibition and Excise Department
Secretariat, Chennai 600 009.

2.The Director General of Police &
IG of Prisons, Gandhi Irwin Road
Egmore, Chennai 600 008.

3.The Superintendent of Prison
Central Prison, Salem.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of mandamus, directing the respondents to release the petitioner's brother namely S.Shajin, son of Selvaraj aged about 39 years



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convict No.8758, Convict Prisoner, aged about 39 years now confined in the Central Prison, Salem on interim bail till the disposal of the writ petition.

For Petitioner : Ms.S.Nadhiya
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

[Order of the Court was made by S.S.SUNDAR, J.,]

- (1)The present writ petition has been filed by the petitioner seeking a mandamus to direct the respondents to release her brother namely S.Shajin, son of Selvaraj aged about 39 years convict No.8758, now confined in the Central Prison, Salem on interim bail till the disposal of the writ petition.
- (2)Mr.E.Raj Thilak, learned Additional Public Prosecutor accepts notice on behalf of the respondents.
- (3)The learned Additional Public Prosecutor, on instructions submitted that the representation of the petitioner 09.02.2023 seeking premature release of her brother, is pending consideration and the report from the Probation Officer has also been obtained.
- (4)In such circumstances, the learned counsel for the petitioner seeks



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indulgence of this Court to direct the respondents to pass appropriate orders on the petitioner's representation within a stipulated period.

(5) In the said circumstances, this Court is of the view that this writ petition can be disposed of by issuing a direction to the respondents.

(6) Accordingly, without expressing any opinion on the merits of the petitioner's representation or on the contentions raised by the petitioner in the affidavit filed in support of this petition, this Court directs the 1st respondent to consider the petitioner's representation/request of the petitioner dated 09.02.2023 on merits and in accordance with law within a period of three weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner herein.

(7) The writ petition stands **disposed of**. No costs. Consequently, connected miscellaneous petition is closed.

[S.S.S.R., J.] [S.M, J.]
27.11.2023

AP

Internet : Yes



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To

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State of Tamil Nadu
Home, Prohibition and Excise Department
Secretariat, Chennai 600 009.
2. The Director General of Police &
IG of Prisons, Gandhi Irwin Road
Egmore, Chennai 600 008.
3. The Superintendent of Prison
Central Prison, Salem.
4. The Public Prosecutor,
High Court, Madras.



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

AP

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