



W.P.No.34157 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.34157 of 2023

and

W.M.P.No.34037 of 2023

N.Jayakumar

... Petitioner

Vs.

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

2.The Director General of Police &
Director General of Prisons and
Correctional Service,
Gandhi Irwin Road,
Egmore, Chennai – 600 008.

3.The Superintendent of Prison,
Central Prison-1, Puzhal,
Chennai – 600 066.

... Respondents



W.P.No.34157 of 2023

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondent No.1 to consider the representation of the petitioner, dated 06.11.2023, and release the petitioner namely N.Jayakumar, S/o.Narendrakumar, aged 50 years, Life Convict Prisoner, Ct.No.2420, now confined in the Central Prison-1, Puzhal, Chennai-600 066, immediately under the premature release Scheme Policies.

For Petitioner : M/s.S.Nadhiya
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
assisted by Mr.Aravind C.

ORDER

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

The petitioner, namely N.Jayakumar, S/o.Narendrakumar, aged 50 years, Life Convict Prisoner, Ct.No.2420, now confined in the Central Prison-1, Puzhal, Chennai-600 066, has come forward with this writ petition to direct respondent No.1 to consider the representation of the petitioner, dated 06.11.2023, for his premature release.



W.P.No.34157 of 2023

WEB COURT

2.The petitioner states that he was convicted for the offence under Section 376 IPC and sentenced to undergo 10 years Rigorous Imprisonment and also for the offence under Section 302 IPC and sentenced to undergo life imprisonment and both the sentences were ordered to run consecutively. The petitioner further states that he has undergone 26 years of actual imprisonment and therefore, his name was recommended for premature release as per Government Scheme. The petitioner states that he made a representation, dated 06.11.2023, to the respondents, for his premature release. Since the same has not been considered till date, he has come forward with this writ petition.

3.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4.Having regard to the limited scope of the prayer in the writ petition, this Court, without going into the merits of the petitioner's representation or the contentions of the petitioner in the affidavit filed in support of this writ petition, directs the 1st respondent to consider the representation of the



W.P.No.34157 of 2023

petitioner, dated 06.11.2023, for his premature release, and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, and communicate the same to the petitioner.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(S.S.S.R., J.) (S.M., J.)
11.12.2023

mkn

Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No

To

Page 4 of 6



W.P.No.34157 of 2023

WEB COPY

1. The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai – 600 009.
2. The Director General of Police &
Director General of Prisons and
Correctional Service,
Gandhi Irwin Road,
Egmore, Chennai – 600 008.
3. The Superintendent of Prison,
Central Prison-1, Puzhal,
Chennai – 600 066.
4. The Public Prosecutor,
High Court, Madras.

S.S. SUNDAR, J.
and



WEB COPY



W.P.No.34157 of 2023

SUNDER MOHAN, J.

mkn

W.P.No.34157 of 2023

11.12.2023