



WP(MD)No.20076 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.08.2023

CORAM

**THE HON'BLE MR JUSTICE M.S.RAMESH
AND
THE HON'BLE MR JUSTICE M.NIRMAL KUMAR**

W.P.(MD)No.20076 of 2023

Sundarrajan

... Petitioner

Vs.

1.The Superintendent of Prison
The Trichy Central Prison,
Trichy.

2.The Inspector of Police
K.K.Nagar Police Station,
Trichy,
Crime No.745/2012

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents to set off the remand period from 09.09.2012 to 18.02.2013 and 22.12.2013 to 24.06.2014 in S.C.No.137 of 2014 on the file of the II Additional District and Sessions Judge, Tiruchirappalli and consequently direct the respondents to calculate and include those days with conviction and sentence passed under Section 428 of Criminal Procedure Code in accordance with law within the time stipulated by this Court.



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For Petitioners : Ms.M.Sudha Rani
For Respondents : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

ORDER

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

The present writ petition has been filed for a direction to the respondents to set off the remand period from 09.09.2012 to 18.02.2013 and 22.12.2011 to 24.06.2014 in S.C.No.137 of 2014 on the file of the II Additional District and Sessions Judge, Tiruchirappalli and consequently direct the respondents to calculate and include those days with conviction and sentence passed under Section 428 of Criminal Procedure Code in accordance with law

2. Today, when the matter was called, the learned Additional Public Prosecutor produced a copy of the proceedings of the first respondent herein dated 17.08.2023 in No.20597/Tha.Ku..1/2023, whereby the petitioner's request was rejected. As such appropriate remedy available to the petitioner would be to challenge the said proceedings dated 17.08.2023 in the manner known to law.



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3. Accordingly, this writ petition stands closed.

(M.S.R.,J.) & (M.N.K.,J.)
18.08.2023

NCC : Yes / No
Index : Yes / No
RR



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M.S.RAMESH, J.

AND

M.NIRMAL KUMAR, J.

RR

To

- 1.The Superintendent of Prison
The Trichy Central Prison,
Trichy.
- 2.The Inspector of Police
K.K.Nagar Police Station,
Trichy,
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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