



WEB COPY



WMP No.388 of 2024
in WP No.319 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2024

CORAM :

THE HON'BLE MR. JUSTICE M.S.RAMESH
AND
THE HON'BLE MR.JUSTICE SUNDER MOHAN

WMP No.388 of 2024
in WP No.319 of 2024

Thiraviyam

...Petitioner/Mother of the detenu

VS.

The State represented by its,

1.The Principal Secretary to Government
Home (Prison – IV) Department,
Fort St.George,
Chennai – 600 009.

2.The Superintendent,
Central Prison,
Vellore – 632 002.

...Respondents

Writ Miscellaneous Petition filed under Article 226 of the Constitution of India, directing the respondents to release the detenu, Mahesh S/o.Azmir Asari, aged about 39 years, bearing Convict No.2383, confined at Central



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Prison, Vellore, on interim bail until disposal of the writ petition.

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For Petitioner :: Mr.S.Manoharan

For Respondents :: Mr.E.Raj Thilak
Additional Public Prosecutor
Assisted by
Mr.C.Aravind

ORDER

(Order of the Court was made by SUNDER MOHAN,J.)

The writ petition miscellaneous petition has been filed by the petitioner/mother of the Convict Prisoner, Mahesh S/o.Azmir Asari, aged about 39 years, Convict No.2383, confined at Central Prison, Vellore, until the disposal of the writ petition.

2.Mr.E.Raj Thilak, learned Additional Public Prosecutor appearing for the respondents on instruction submits that the petitioner's request for premature release of her son/Convict Prisoner has been favourably considered by the Government and the same is pending consideration before the Hon'ble Governor.

3. In similar cases, this Court had granted interim bail to the persons



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whose premature release process is in the final stage, taking into consideration, the orders passed by the Hon'ble Supreme Court in Sikkander case *[Sikkander Vs The State and others, Special Leave to Appeal (Crl.) No.12784 of 2022]* and Sardar Khan case *[Sardar Khan Vs. State and others, Special Leave to Appeal (Crl.) No.10176 of 2022]*

4. Hence, we grant interim bail to the Convict Prisoner, Mahesh S/o.Azmir Asari, aged about 39 years, Convict No.2383, subject to the following conditions:

(i) The Prison inmate namely Mr. Mahesh S/o.Azmir Asari, aged about 39 years, Convict No.2383 who is now confined at Central Prison, Vellore, shall be released on **interim bail till 19.06.2024**, subject to his furnishing bail bonds of value of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties each for a like sum to the satisfaction of the learned Principal Sessions Judge, Salem.

(ii) Prison inmate is directed to report once in a week i.e., on every Monday to the Suraindai Police Station, Tenkasi District. The State authorities shall submit a report with regard to the conduct of the prison inmate before expiry of the period of three months i.e. 19.06.2024. Prison inmate will not leave the State of Tamil Nadu without informing the local Police Station in writing at least three days



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in advance and shall keep them posted about their whereabouts.

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5. Accordingly, writ miscellaneous petition stands allowed.

6. Post the main petition on 13.06.2024.

(M.S.R.,J.) (S.M.,J.)
19.03.2024

Note to Registry:

- 1.Issue order copy by 20.03.2024.
- 2.Upload the order copy forthwith.
dk

Copy to:-

- 1.The Principal Sessions Judge,



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- 2.The Principal Secretary to Government
Home (Prison – IV) Department,
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- 3.The Superintendent,
Central Prison,
Vellore – 632 002.
- 4.The Public Prosecutor,
High Court, Madras.



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AND
SUNDER MOHAN,J.

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