



W.M.P.No.992 of 2024
in W.P. No.5475 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.M.P.No.992 of 2024
in W.P.No.5475 of 2023

Mohideen Fathima
w/o. Deen

...Petitioner

Vs.

1. The State of Tamil Nadu
represented by its Secretary
Home Department
Fort. St. George, Chennai 600 009

2. The Superintendent of Central Prison
Palayamkottai Central Prison
Tirunelveli District

... Respondents

Prayer :- Criminal Miscellaneous Petition filed under Article 226 of the Constitution of India, praying to extend the Interim Bail for three months, commencing from 21.01.2024, passed by this Hon'ble Court by order dated 13.04.2023 pending disposal of the above Writ Petition in W.P. No.5475 of 2023.



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For Petitioner : Mr.R. Sankarasubbu
For Respondents : Mr.E. Raj Thilak
Additional Public Prosecutor

ORDER

[Order of the Court was made by SUNDER MOHAN, J.]

This petition has been filed to extend the interim bail granted to the detenu, Siddique Ali @ Sultan, S/o. Deen, aged 45 years, CT No.7365, confined at Central Prison, Palayamkottai, in W.M.P. No.29530 of 2023 in WP.No.5475 of 2023, order dated 13.10.2023, from 21.01.2024 until further orders.

2. Admittedly, the petitioner's request for premature release of the detenu was considered favourably by the State Government based on the recommendation of the Hon'ble Justice Thiru.N.Authinathan Committee and orders have been obtained from the Hon'ble Chief Minister and also circulated to the Hon'ble Governor.



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3. This Court, by order dated 13.10.2023, already granted interim bail to the detenu for a period of three months since premature release process was on its last limb based on the orders passed by the Hon'ble Supreme Court in the case of ***Sikkander vs. The State and others, Special Leave to Appeal (Crl.) No.12784 of 2022.***

4. The learned Additional Public Prosecutor submitted that the premature release process is still at the same stage and further orders have not been so far passed.

5. While granting interim bail, this Court had directed the State Authorities to submit a report with regard to the prison inmate before expiry of three months. The learned Additional Public Prosecutor has now produced a report of the Probation Officer, which states that the conduct of the detenu was good during the said period of three months.



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6. In view of the above facts and also taking note of the fact that the interim bail expires on 21.01.2024, we are inclined to extend the interim bail for a period of three months on the same conditions imposed in WMP.No.29530 of 2023. Accordingly, this petition is allowed, by granting interim bail for a period of three months from 21.01.2024.

[M.S.R., J] [S.M., J]
12.01.2024

Note to office:

Issue order copy by 19.01.2024
Upload the order forthwith

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To

1. The Secretary to Government
Home Department
Fort. St. George, Chennai 600 009
2. The Superintendent of Central Prison
Palayamkottai Central Prison
Tirunelveli District.
3. The Additional District & Sessions Judge
Fast Track Court, Tiruchirapalli.
4. The Inspector of Police
Melapalayam Police Station, Tirunelveli District.
5. The Public Prosecutor,
High Court, Madras



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M.S.RAMESH, J.
and
SUNDER MOHAN, J.

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12.01.2024