



W.P.No.3289 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.3289 of 2024
and W.M.P.No.3545 of 2024

K.Mohan

... Petitioner

Vs.

1.State of Tamil Nadu,
Rep. by the Principal Secretary,
Home (Prison-IV) Department,
Fort St.George,
Chennai – 600 009.

2.The Superintendent of Central Prison,
Vellore,
Vellore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the first respondent to consider the representation dated 12.12.2023 of the petitioner to release him on premature release of the Lifer convict Mohan, son of Kannan, CT No.23734 now confined at Central Prison, Vellore.



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For Petitioner : Mr.R.Sankarasubbu
For Respondents : Mr.E.Raj Thilak,
Additional Public Prosecutor
assisted by Mr.C.Aravind

ORDER

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

The petitioner, who is a life convict, now confined in the Central Prison, Vellore, has come forward with this Writ Petition seeking for premature release.

2. The petitioner states that he was convicted for an offence under Section 302 of IPC and was sentenced to undergo life imprisonment (3 counts) during the year 2007 by the Principal Sessions Judge, Thiruvannamalai District. The petitioner further states that several recommendations are pending with the first respondent for considering his name for premature release. Further, the petitioner states that his wife is ill and she is bedridden as she is aged about 70 years. He has also given a representation dated 12.12.2023 through his wife, in this regard. Since the same has not been considered till date, he has come forward with this Writ Petition.



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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 first respondent to consider the representation of the petitioner dated 12.12.2023, seeking premature release and pass appropriate orders on merits and in accordance with law, within a period of three (3) months 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 stands disposed of.

No costs. Connected miscellaneous petition is closed.

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

14.02.2024

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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

Sni

To

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

2.The Superintendent of Central Prison,
Vellore,
Vellore District.

3.The Public Prosecutor,
High Court, Madras.

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