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W.M.P.No.2828 of 2024
in W.P. No.12860 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.02.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.M.P.No.2828 of 2024
in W.P. No.12860 of 2020

Sumaiya Banu

...Petitioner

Vs.

The State represented by

1. The Secretary to Government of Tamil Nadu,
Department of Home,
Fort St. George, Chennai 600 009.
2. The Additional Director General of Prison,
C.M.D.A. Towers,
Egmore, Chennai 600 008
3. The Superintendent,
Central Prison, Puzhal 1, Chennai

... Respondents

Prayer :- Writ Miscellaneous Petition filed under Article 226 of the Constitution of India, praying to extend the Interim Bail granted to the detenu, Hakkim, Son of Mohammed Malungu, Convict No.4660, confined at Central Prison, Puzhal I,



W.M.P.No.2828 of 2024
in W.P. No.12860 of 2020

in W.M.P. No.29638 of 2023 in W.P. No.12860 of 2020, order dated 30.10.2023,
from 09.02.2024, until further orders.

For Petitioner : Dr.S. Manoharan

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, the detenu, Hakkim, Son of Mohammed Malungu, Convict No.4660, confined at Central Prison, Puzhal I, in W.M.P. No.29638 of 2023 in W.P.No.12860 of 2020, order dated 30.10.2023, from 09.02.2024, until further orders.

2. Admittedly, the petitioner's request for premature release of the detenu was considered favaourably 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.



W.M.P.No.2828 of 2024
in W.P. No.12860 of 2020

WEB COPY

3. This Court, by order dated 30.10.2023, 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.



W.M.P.No.2828 of 2024
in W.P. No.12860 of 2020

6. In view of the above facts and also taking note of the fact that the interim bail expires on 09.02.2024, we are inclined to extend the interim bail upto 05.06.2024 on the same conditions imposed in WMP.No.29638 of 2023 in W.P. No.12860 of 2020. Accordingly, this petition is allowed, by granting interim bail upto 05.06.2024 from 09.02.2024.

[M.S.R., J] [S.M., J]
08.02.2024

Note to office:

Issue order copy by 08.02.2024
Upload the order forthwith

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W.M.P.No.2828 of 2024
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To

1. The First Additional Sessions Judge,
Coimbatore
2. The Secretary to Government of Tamil Nadu,
Department of Home,
Fort St. George, Chennai 600 009.
3. The Additional Director General of Prison,
C.M.D.A. Towers,
Egmore, Chennai 600 008
4. The Superintendent,
Central Prison, Puzhal 1, Chennai
5. The Public Prosecutor,
High Court, Madras

Copy to:-

The Inspector of police,
T-6 Karumbukadai Police Station, Coimbatore.



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W.M.P.No.2828 of 2024
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M.S.RAMESH, J.
and
SUNDER MOHAN, J.

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W.M.P.No.2828 of 2024
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