



W.P.No.3539 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.3539 of 2024

Mr.Saravanan

... Petitioner

Vs.

1.The State represented by its,
The Home Secretary,
Prison-IV Department, Fort St.George,
Chennai – 600 009.

2.The Director General of Prisons and
Inspector General of Prisons,
Whannels Road, Egmore, Chennai – 600 008.

3.The Superintendent of Prison,
Central Prison at Puzhal-I,
Thiruvallur District – 600 066.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying for the issuance of Writ of Mandamus, directing the respondents
to prematurely release the petitioner Mr.Saravanan, S/o.Jeyapaul (CT



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No.85) under G.O.Ms.No.488 Home (Pri-IV) Department, dated 15.11.2021 in pursuance of petitioner's wife representation dated 23.08.2023.

For Petitioner : Mr.M.Mohamed Saifulla
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, has come forward with this Writ Petition seeking for premature release pursuant to his wife's representation dated 23.08.2023.

2. The petitioner states that he was convicted and sentenced to undergo life imprisonment for the offence under Section 302 of IPC and 10 years rigorous imprisonment for the offence under Section 449 of IPC by the learned Additional District and Sessions Judge (Fast Track Court), Kancheepuram in S.C.No.439 of 2002 on 05.06.2003. Aggrieved against



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the said order, the petitioner filed Crl.A.No.1698 of 2003 and the same came to be dismissed by this Court on 27.06.2006. He also relied upon the Government Order passed by the first respondent in G.O.Ms.No.488, Home (Pri-IV) Department, dated 15.11.2021, regarding premature release of the life convict prisoners. Further, the petitioner states that his wife has given a representation on 23.08.2023 seeking for premature release for the petitioner. Since the same has not been considered till date, the petitioner has come forward with this Writ Petition.

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 wife's representation or the contentions of the petitioner in the affidavit filed in support of this Writ Petition, directs the respondents to consider the representation of the petitioner dated 23.08.2023, seeking to release the petitioner prematurely, if not already disposed of and pass appropriate



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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.

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

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

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

2.The Director General of Prisons and
Inspector General of Prisons,
Whannels Road, Egmore, Chennai – 600 008.

3.The Superintendent of Prison,
Central Prison at Puzhal-I,
Thiruvallur District – 600 066.

4.The Public Prosecutor,
High Court, Madras.



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

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