



WEB COPY



WMP No.4513 of 2024
in WP No.4202 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2024

CORAM :

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

WMP No.4513 of 2024
in WP No.4202 of 2024

Sukumar

...Petitioner

vs.

1.The Additional Chief Secretary to Government,
Home Prohibition and Excise Department,
Secretariat, Chennai – 600 009.

2.The Director General of Police &
Director General of Prisons and
Correctional Service,
Whannels Road,
Egmore, Chennai – 600 008.

3.The Superintendent of Prisons
Central Prison,
Salem.

...Respondents



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Writ Miscellaneous Petition filed under Article 226 of the Constitution of India, praying for interim direction to the respondents to release the petitioner's brother namely Manikandan @ Thamarai S/o. Murugesan aged 39 years, Convict Prisoner, Central Prison, Salem on interim bail till the disposal of the Writ Petition.

For Petitioner :: M/s. S.Nadhiya

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 is for premature release of the petitioner's brother and this writ miscellaneous petition has been filed by the petitioner, seeking interim bail to his brother/Convict Prisoner namely Manikandan @ Thamarai S/o.Murugesan, aged about 39 years, (Convict No.7625) confined at Central Prison, Salem, 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



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premature release of his brother/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 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 brother of the petitioner/Convict Prisoner, Mr.Manikandan @ Thamarai, S/o.Mr.Murugesan, aged 39 years, subject to the following conditions:

(i) The Prison inmate namely Mr.Manikandan @ Thamarai, S/o.Murugesan (Convict No.7625) who is now confined at Central Prison, Salem, 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 likesum to the



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satisfaction of the trial Court [Additional District and Sessions Court, Coimbatore].

(ii) Prison inmate is directed to report once in a week i.e., on every Monday to the local Police Station (M4 - Thudiyalur Police Station, Coimbatore 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 in advance and shall keep them posted about their whereabouts.

5. Accordingly, writ miscellaneous petition stands allowed.

(M.S.R.,J.) (S.M.,J.)
14.03.2024

Note to Registry:

- 1.Issue order copy by 15.03.2024.
 - 2.Upload the order copy forthwith.
- dk



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- 4.The Public Prosecutor,
High Court, Madras.



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