



WEB COPY



WMP No.14506 of 2024
in WP No.13362 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2024

CORAM :

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

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in WP No.13362 of 2024

Abhishree

...Petitioner/wife of the detenu

VS.

The State represented by its,

1.The Secretary to Government of Tamil Nadu,
Department of Home, (Prison Department-IV)
Fort St. George,
Chennai-600 009.

2.The Director General of Prisons,
Gandhi Irwin Road, CMDA Buildings,
2nd Tower, Egmore,
Chennai-600 066.

3.The Deputy Inspector General of Prison,
Chennai Range,
Egmore,
Chennai-600 066.



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4. The Superintendent of Prison,
Central Prison,
Puzhal-1.

...Respondents

Writ Miscellaneous Petition filed under Article 226 of the Constitution of India, directing to the respondents to release the detenue, Gunasekaran, S/o.Ganesan, aged about 39 years, Convict No.5941, detained at Central Prison, Puzhal-1 on interim bail until the first respondent comply with the order of this Court in W.P.No.31099 of 2023, order dated 11.01.2024.

For Petitioner :: Mr.S.Manoharan

For Respondents :: Mr.E.Raj Thilak
Additional Public Prosecutor
Assisted by
Mr.C.Aravind

ORDER

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

The writ petition miscellaneous petition has been filed by the petitioner/wife of the Convict Prisoner, Gunasekaran, S/o.Ganesan, aged about 39 years, Convict No.5941, detained at Central Prison, Puzhal-1, to



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grant interim bail to the prisoner until the first respondent comply with the order of this Court in W.P.No.31099 of 2023, dated 11.01.2024.

2. Mr.E.Raj Thilak, learned Additional Public Prosecutor appearing for the respondents, on instruction, submits that the petitioner's request for premature release of her husband/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 Convict Prisoner, Gunasekaran,



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S/o.Ganesan, aged about 39 years, Convict No.5941, detained at Central Prison, Puzhal-1, subject to the following conditions:

(i) The Prison inmate namely Gunasekaran, S/o.Ganesan, aged about 39 years, Convict No.5941, detained at Central Prison, Puzhal-1, shall be released on **interim bail commencing from 16.06.2024** for a period of three months, subject to his furnishing bail bond of value of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Thiruvavarur.

(ii) Prison inmate is directed to report once in a week i.e., on every Monday before the Inspector of Police, Pallikaranai Police Station, Chennai. 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. 16.09.2024. 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.

6. Post the main petition on 17.09.2024.



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(M.S.R.,J.) (S.M.,J.)
10.06.2024

Note to Registry:

1.Issue order copy by 14.06.2024.

2.Upload the order copy forthwith.

Anu

Copy to:-

1.The Sessions Judge, Thiruvarur.

2.The Secretary to Government of Tamil Nadu,
Department of Home, (Prison Department-IV)
Fort St. George,
Chennai-600 009.

3.The Director General of Prisons,
Gandhi Irwin Road, CMDA Buildings,
2nd Tower, Egmore,
Chennai-600 066.

4.The Deputy Inspector General of Prison,
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5.The Superintendent of Prison,
Central Prison,
Puzhal-1.

6.The Public Prosecutor,
High Court, Madras.

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10.06.2024