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WMP No.16174 of 2024 in W.P.No.14908 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2024

CORAM :

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM**

**WMP No.16174 of 2024
in
W.P.No.14908 of 2024**

Veera Bharathi

... Petitioner

Vs

1. The State of Tamilnadu,
rep. By
The Principal Secretary to Government,
Home (Prison) Department,
TN Govt. Chief Secretariat,
St. George Fort,
Chennai 600 009.
2. The AdDGP/DGP of Prisons and Correctional Services,
TN Prison Head Quarters,
Whannels Road,
Egmore, Chennai – 600 008
3. The DIG of prisons (Chennai Range)
TN Prison Head Quarters,
Whannels Road,
Egmore, Chennai – 600 008.

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4. The Superintendent,
Central Prison-I,
Puzhal, Chennai 600 066.

.... Respondents

PRAYER: This Writ Miscellaneous Petition filed under Article 226 of Constitution of India to issue an interim direction thereby granting the petitioner, Veera Bharathi, S/o. Ponniah, aged about 53/2024 years, LCP No.7209, Central Prison-I, Puzhal, Chennai, parole on his own surety bond for the period pending disposal of the main writ petition.

For Petitioner : Mr. Mr.R.Sankara Subbu
for
Mr.D.Mario Johnson

For Respondents : Mr.Hasan Mohamed Jinna,
State Public Prosecutor,
Assisted by
Mr. E.Raj Thilak,
Additional Public Prosecutor

ORDER

(Order of the Court is made by *S.M.SUBRAMANIAM, J.*)

This Writ Miscellaneous petition has been filed to issue an interim direction for granting parole to the petitioner, namely, Veera Bharathi, S/o. Ponniah, aged about 53/2024 years, LCP No.7209, Central Prison-I, Puzhal, Chennai, parole, on his own surety bond.



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2. The learned counsel for the petitioner would submit that now the petitioner/convict prisoner is in parole and the parole period is expiring today, i.e. on 17.10.2024 and hence, he seeks for interim bail.

3. The learned State Public Prosecutor appearing for the respondents has no serious objection to grant interim bail to the petitioner/convict prisoner.

4. In view of the fact that we have set aside the rejection order of the premature release of the petitioner under the scheme for remission and remitted for fresh consideration and considering the factual situation of the convict prisoner is actually undergoing imprisonment for about 20 years 9 months, we are inclined to grant interim bail to the petitioner.

5. Considering the fact that since the writ petition itself is allowed today, this Court is inclined to grant Interim Bail on conditions that:

(i) The petitioner/Convict Prisoner viz., Veera Bharathi, S/o. Ponniah, aged about 53/2024 years, LCP No.7209, Central Prison-I, Puzhal,



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Chennai, is ordered to be released on interim bail on his executing a own bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) to the satisfaction of the the Superintendent, Central Prison-I, Puzhal .

(ii) The petitioner/convict prisoner 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 his whereabouts.

(iii) The interim bail granted in the present petition is subject to the outcome of the final order to be passed by the Government on the premature release of the petitioner in pursuant to the orders of this Court dated 17.10.2024 in W.P.No.14908 of 2024.

6. Accordingly, this Writ Miscellaneous Petition is allowed.

[S.M.S., J.]

[V.S.G., J.]

17.10.2024

Note: Issue order copy on 18.10.2024.



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AND
V.SIVAGNANAM, J.

mrp

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