



WEB COPY



W.P.No.24414 of 2022

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.P.No.24414 of 2022 &
W.M.P. No.23400 of 2022

V. Chitra

... Petitioner

Vs.

1. The State represented by its,
The Additional Chief Secretary to Government,
Home Department-Prison IV,
Secretariat, Chennai 600 009
2. The Director General of Prisons,
No.02, Whannels Road, Egmore,
Chennai 600 008..
3. The Commissioner of Police,
Office of the Commissioner of Police, Coimbatore City.
4. The Probation Officer,
Office of the Probation Officer, Coimbatore
5. The Superintendent of Prison,
Coimbatore Central Prison, Gandhipuram,
Coimbatore 641 018

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of certiorarified Mandamus, to call for the records in relating to the impugned order in G.O.(D) No.186 dated 21.02.2022 passed by the 1st respondent, quash the same and consequently direct the 5th respondent to release the convict Viswanathan @ Vijayan, S/o.Rajagopal (CT No.2807) forthwith and set him at liberty in view of direction given by Hon'ble Apex Court in State of Tamil Nadu vs. H. Nilofer Nisha reported in 2020-1-L.W. (crl) 612.

For Petitioner : Mr. M. Mohamed Saifulla
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
Assisted by Mr.Aravind, C.

ORDER

(Order of the Court was made by **M.S.RAMESH, J.**)

When the matter is taken up for hearing today, it is submitted by the learned counsels appearing on either side that the life convict has already been released prematurely through G.O.(Ms) No.83 of Home (Prison-IVA) Department dated 05.02.2024. The learned Additional Public Prosecutor has also produced a copy of the said order.

2. Recording the said submission, this Writ petition is dismissed as



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the same has become infructuous. No costs. Consequently, connected Writ

Miscellaneous Petition is also closed.

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

bga

Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No

To

1. The Additional Chief Secretary to Government,
Home Department-Prison IV,
Secretariat, Chennai 600 009
2. The Director General of Prisons,
No.02, Whannels Road, Egmore,
Chennai 600 008.
3. The Commissioner of Police,
Office of the Commissioner of Police, Coimbatore City.
4. The Probation Officer,
Office of the Probation Officer, Coimbatore
5. The Superintendent of Prison,
Coimbatore Central Prison, Gandhipuram,
Coimbatore 641 018.
6. The Public Prosecutor,
High Court, Madras.



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