



WEB COPY

W.P.No.26739 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P.No.26739 of 2024

and

W.M.P.No.29240 of 2024

A.Ganga @ Gangathar
@ Gangatharan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by the Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai – 600 009.

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

3.The Superintendent of Prison,
Central Prison,
Vellore – 632 002.

... Respondents



W.P.No.26739 of 2024

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated on 14.06.2024 release of the petitioner namely Ganga @ Gangathar @ Gangatharan S/o.Anjinappa, aged about 44 years, Life Convict, CT.No.16126, now confined in Central Prison, Vellore-2, under the scheme of 1994 police for premature release of the convicts.

For Petitioner : Mr.P.Pugalenth

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

[Order of the Court is made by **S.M.SUBRAMANIAM, J.**]

The application seeking premature release by the convict prisoner earlier filed was rejected by the Government in G.O.(D).No.1261, Home (Prison-IVA) Department dated 31.10.2023.

2. The learned counsel for the petitioner would submit that the prisoner is actually under imprisonment for more than 20 years. Therefore, he is entitled for premature release as per the policy approved by the Government



W.P.No.26739 of 2024

of Tamil Nadu in letter F.S.No.1358, Home dated 10.11.1994. The said letter was issued in G.O.Ms.No.1762, Home dated 20.07.1987. The policy is about premature release of prisoners, who have completed actual imprisonment of 20 years.

3. The present application dated 14.06.20024 is filed under the policy, wherein, the prisoner is eligible to seek premature release on completion of 20 years of imprisonment. Thus, the case of the prisoner is to be considered with reference to the policy for remission as applicable to the prisoners, who have completed 20 years of imprisonment.

4. In view of the facts and circumstances, the respondents are directed to consider the application dated 14.06.2024 seeking premature release of the prisoner as expeditiously as possible preferably within a period of three (3) months from the date of receipt of a copy of this order.



W.P.No.26739 of 2024

WEB COPY 5. With the above directions, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

[S.M.S., J.] [V.S.G., J.]
18.10.2024

Index : Yes
Neutral Citation : Yes
Speaking order / Non-speaking order

Jeni

To

- 1.The Additional Chief Secretary to Government,
The State of Tamil Nadu,
Home, Prohibition and Excise Department,
Secretariat, Chennai – 600 009.
- 2.The Director General of Police /
Inspector General of Prisons and Correctional Service,
Whannels Road,
Egmore, Chennai 600 008.
- 3.The Superintendent of Prison,
Central Prison,
Vellore – 632 002.
- 4.The Additional Public Prosecutor,
Puducherry,
Madras High Court.



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W.P.No.26739 of 2024

S.M.SUBRAMANIAM, J.
AND
V.SIVAGNANAM, J.

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