



WEB COPY

W.P.No.26102 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P.No.26102 of 2024

N.Jayakumar

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by Additional Chief Secretary to Government,
Department of Home (Prison IV),
Fort St. George,
Chennai – 600 009.

2.The Additional Director General of Police/
Inspector General of Prisons,
Egmore,
Chennai – 600 008.

3.The Superintendent of Prison,
Central Prison - I,
Puzhal,
Chennai – 600 066.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying for the issuance of Writ of Certiorarified Mandamus, calling for the



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records of the 1st respondent in G.O.(D).No.425 dated 02.04.2024 and quash the same and further direct the 1st respondent to premature release of the petitioner without any further delay.

For Petitioner : Mr.G.Ravikumar

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

ORDER

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

The writ petition has been instituted challenging the rejection of premature release made by the Government in G.O.(D).No.425, Home (Prison-IV) Department dated 02.04.2024.

2. The learned counsel for the petitioner would submit that though the premature release of the prisoner was rejected by the advisory scheme, he would be otherwise eligible to secure premature release under the scheme implemented in G.O.Ms.No.430, Home (Prison-IV) Department dated 11.08.2023.



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3. In view of the fact that the petitioner now claims eligibility for premature release under G.O.Ms.No.430, Home (Prison-IV) Department dated 11.08.2023, he is at liberty to submit a fresh application seeking premature release under the said scheme. In the event of receiving any such application, the 1st respondent / Government is directed to consider the same with reference to the terms and conditions under the scheme and pass appropriate orders as expeditiously as possible and preferably within a period of four (4) months from the date of receipt of a copy of the application from the writ petitioner / prisoner.

4. Accordingly, the Writ Petition stands disposed of. No costs.

[S.M.S., J.] [V.S.G., J.]
28.10.2024

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

Jeni



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To

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Department of Home (Prison IV),
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Chennai – 600 009.
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Inspector General of Prisons,
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3. The Superintendent of Prison,
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4. The Additional Public Prosecutor,
Madras High Court.



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AND
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