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W.M.P.No.32057 of 2024
in W.P.No.9442 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.M.P.No.32057 of 2024

in

W.P.No.9442 of 2024

G.Ramya

... Petitioner

Vs.

1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai – 600 009.

2.The Director General of Police and
Director General of Prisons and Correctional Services,
Whannels Road, Egmore,
Chennai – 600 008.

3.The Superintendent of Prison,
Central Prison,
Vellore – 2.

... Respondents

Prayer: Writ Miscellaneous Petition filed under Article 226 of the Constitution of India, to extent the interim bail to the petitioner's father namely Mr.Gunasekar @ Sekar Son of Sachidanandham, Life Convict,



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CT.No.21210, Central Prison, Vellore (now in interim bail) from 05.10.2024
to further period of three months.

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 writ miscellaneous petition has been filed to extent the interim bail to the petitioner's father namely Mr.Gunasekar @ Sekar Son of Sachidanandham, Life Convict, CT.No.21210, Central Prison, Vellore (now in interim bail) from 05.10.2024 to further period of three months.

2. The learned counsel for the petitioner would submit that the petitioner submitted an application seeking premature release under the scheme formulated by the Government in G.O.Ms.No.488, Home (Prison-IV) Department dated 15.11.2021. The said application was scrutinised and processed by the Government. Thereafter, the Government passed a rejection order in G.O.(D).No.9075, Home (Prison-IVA) Department dated 18.07.2024



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and hence, he seeks for interim bail.

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3. The learned Additional Public Prosecutor appearing on behalf of the respondents has no serious objection to grant interim bail to the petitioner's father / convict prisoner.

4. In view of the fact that we have set aside the rejection order passed by the Government in G.O.(D).No.907, dated 18.07.2024 of the premature release of the petitioner's father 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 13 years, we are inclined to grant interim bail to the petitioner's father.

5. Considering the fact that since the writ petition itself is allowed today, this Court is inclined to grant interim bail on the following conditions;

- (1) The petitioner's father /Convict Prisoner viz., Gunasekar @ Sekar S/o.Sachidanandham, bearing Convict No.21210, now confined at Central Prison, Vellore, 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 Superintendent,



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Central Prison, Vellore.

(2) The petitioner's father / 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.

(3) 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's father in pursuant to the orders of this Court dated 28.10.2024 in W.P.No.28992 of 2024.

6. Accordingly, this Writ Miscellaneous Petition stands allowed.

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

Index : Yes

Neutral Citation : Yes

Speaking order / Non-speaking order

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To
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