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W.M.P.No.37242 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.M.P.No.37242 of 2024

in

W.P.No.28480 of 2024

M.Basheera

... Petitioner

Vs.

The State represented by its

1. The Secretary to Government of Tamil Nadu
Home (Prison-IV) Department
Fort St.George
Chennai 600 009

2. The Deputy Inspector General of Prison
Chennai Range
Egmore, Chennai 600 008

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

... Respondents

PRAYER: Writ Miscellaneous Petition filed under Article 226 of the Constitution of India, to modify the order and relax the condition (i) and (ii) in W.M.P.No.31054 of 2024 in W.P.No.28480 of 2024, order dated 11.11.2024 to the detainee, Manirathinam, S/o.Sundar, aged 34 years, Convict No.4752, who is confined in Central Prison-I, Puzhal.

For Petitioner : Ms.K.Akshaya



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For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor

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ORDER

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

The present petition seeking modification of the condition imposed by this Court in WMP.No.31054 of 2024 in W.P.No.28480 of 2024 dated 11.11.2024 is filed.

2. The learned counsel for the petitioner would submit that the prisoner is seriously ill and he is at the last stage of cancer. He is immobile and therefore, not in a position to comply with the condition imposed while granting interim bail. She would further submit that the interim bail already granted by this Court expires today.

3. In support of the submission, the learned counsel for the petitioner submitted the copy of photographs to show that the prisoner is immobile.

4. Considering the facts and the circumstances, we are inclined to consider the petition. Accordingly, the conditions imposed in Paragraph No.3 (i) and (ii) in WMP.No.31054 of 2024 dated 11.11.2024 is recalled and the interim bail granted to the prisoner namely Manirathinam, S/o Sundar, aged 34 years, Convict No.4752, confined at Central Prison-I, Puzhal is extended for a further



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period of three months from today.

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(i) The prisoner namely Manirathinam, S/o Sundar, aged 34 years, Convict No.4752, confined at Central Prison-I, Puzhal shall surrender before the Superintendent, Central Prison-I, Puzhal, at 05.30 P.M on 14.02.2025.

5. Consequently, the Writ Miscellaneous Petition is ordered.

[S.M.S., J.]

[M.J.R., J.]

14.11.2024

Index: Yes/No

Speaking/Non-speaking order

gd

Note: Issue order copy today (14.11.2024)



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To

1. The Secretary to Government of Tamil Nadu
Home (Prison-IV) Department
Fort St.George
Chennai 600 009
2. The Deputy Inspector General of Prison
Chennai Range
Egmore, Chennai 600 008
3. The Superintendent
Central Prison, Puzhal-I
Chennai 600 066
4. The Public Prosecutor,
High Court of Madras.



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AND
M.JOTHIRAMAN, J.

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