



WEB COPY



W.M.P.No.35443 of 2023 in WP No.35470 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.M.P. No.35443 of 2023

in

W.P.No.35470 of 2023

M.Pushpa

... 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 Service,
Whannels Road, Egmore, Chennai 600 008.

3. The Superintendent of Prisons,
Central Prison,
Salem-7

. ..Respondents

Prayer: Writ Miscellaneous Petition filed under Article 226 of the Constitution of India praying to issue a direction to release the petitioner's father namely, Paramasivam, S/o of Varadhan, aged about 53 years, Convict No.6955, now



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confined in the Central Prison, Salem on interim bail till the disposal of the writ petition.

For Petitioner : Ms.S.Nadhiya
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

(Order of the Court was made by **SUNDER MOHAN, J.**)

The present Writ Miscellaneous Petition has been filed by the petitioner seeking interim bail for her father namely, Paramasivam, S/o of Varadhan, aged about 53 years, Convict No.6955, now confined in the Central Prison, Salem.

2 (i). The learned Additional Public Prosecutor, on instructions, submitted that as regards 49 cases for premature release, which do not fall under the Advisory Board Scheme, after due consideration of Hon'ble Mr.Justice N.Authinathan Committee, orders have been obtained from the Hon'ble Chief Minister of Tamil Nadu and it is now pending before the Hon'ble Governor for approval. Recording the facts relating to the decision of the State Government, the previous Bench of this Court, in several other cases, taking note of the fact that the matter relating to premature release is now pending before the Hon'ble Governor



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and also taking note of the fact that the petitioners are in prison for more than 14 years, has granted interim bail to the petitioners therein subject to conditions.

(ii) The learned Additional Public Prosecutor on instructions submitted that the case of the petitioner has been favourably considered by the Government for premature release and it is pending before the Hon'ble Governor for final orders. Therefore, he has no serious objections for passing similar orders subject to same conditions.

3. In view of the factual matrix, this Court is inclined to grant interim bail subject to the following conditions :

- i. The prison inmate, namely, Paramasivam, aged about 53 years, S/o. Varadhan (Convict No.6955) who is now confined at Central Prison, Salem shall be released, as an interim bail till 05.06.2024 subject to his furnishing bail bond of value of Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for a likesum to the satisfaction of the learned First Additional and Sessions Court, Salem.
- ii. Prison inmate is directed to report weekly once to the local Police Station viz., Vazhapadi Police Station. The State authorities shall submit a report



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with regard to the conduct of the prison inmate before 05.06.2024. Prison inmate 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.

4. Accordingly, the Writ Miscellaneous Petition is allowed and Post the writ petition on 03.06.2024.. No costs.

(M.S.R., J.) (S.M., J.)
01.02.2024
1/2

sr

Internet : Yes

Index : Yes / No

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To

1. The Additional and Sessions Judge, Salem
2. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-600 009.
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Director General of Prisons and Correctional Service,
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5. The Public Prosecutor,
High Court, Madras.



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and
SUNDER MOHAN, J.

SR

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