



WEB COPY



W.P.No.36357 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2024

CORAM :

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

W.P.No.36357 of 2024

Imran Khan

... Petitioner

Vs.

1.The Union of India

Rep. by the Inspector of Police,
National Investigation Agency,
Chennai Branch

2.The State of Tamil Nadu,

Rep. by the Secretary to Government,
Home, Prohibition and Excise department,
Secretariat, Chennai 600 009.

3. The Superintendent of Prison,

Central Prison, Puzhal I,
Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus directing the respondents to release the petitioner's brother, namely Yasar Arafath S/o.Anwar Ali, aged about 35 years, now confined in the Central Prison, Puzhal I on interim bail for a period of 15 days.

For Petitioner : Mr.I.Abdul Basith

For Respondents : Mr.R.Karthikeyan
Special Public Prosecutor
for NIA/1st respondent



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: Mr.R.Muniyapparaj
Additional Public Prosecutor
for R2 and R3

ORDER

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

The Writ of Mandamus has been instituted to direct the respondents to release the petitioner's brother viz., Yasar Arafath S/o.Anwar Ali, aged about 35 years, presently confined at Central Prison, Puzhal I, on interim bail for a period of 15 days.

2.The brother of the petitioner was arrested on 22.09.2022 in connection with RC No.42/2022/NIA/DLI dated 19.09.2022. He is Accused No.8 and remanded to Judicial custody and confined at Central Prison, Puzhal I.

3.Mr. I.Abdul Basith, learned counsel for the petitioner would submit that father of the prisoner died on 26.11.2024 at about 5.00 p.m. Intimation was provided to the prison authorities. Since decision is yet to be taken, the present writ petition came to be instituted.

4.The learned Special Public Prosecutor appearing for NIA would submit that no serious objection for grant of interim bail for 7 days with escort.



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5. Considering the fact that the father of the prisoner died on 26.11.2024, we are inclined to grant interim bail with escort for the prisoner viz., Yasar Arafath, for 8 days commencing from today i.e on 27.11.2024 at 5.00 p.m, on condition that the prisoner shall not make any derogatory speeches and he will have interaction only with his family members and relatives. The prisoner shall surrender before the jail authorities on expiry of 8 days interim bail period on 05.12.2024 at 5.30 p.m.

6. This writ petition stands disposed of accordingly. No costs. The Registry is directed to communicate copy of this order to the Central Prison, Puzhal I, through email immediately.

[S.M.S., J.] [M.J.R., J.]
27.11.2024

Index: Yes/No
Speaking/Non-speaking order
rka

Note : Issue order copy on 27.11.2024



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4. The Public Prosecutor
High Court of Madras.



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