



WMP(MD) No.2334 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Wednesday, the Seventh day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice D.KRISHNAKUMAR
and
The Hon`ble Mr.Justice R.VIJAYAKUMAR

WMP(MD) No.2334 of 2024
IN
WP(MD) No.25085 of 2022

SEENATH

... PETITIONER

Vs

1 THE PRINCIPAL SECRETARY TO GOVERNMENT,
O/O. THE PRINCIPAL SECRETARY TO GOVERNMENT,
HOME (PRISON IV) DEPARTMENT,
SECRETARIAT,
ST. GEORGE FORT,
CHENNAI.

2 THE ADDITIONAL DIRECTOR GENERAL OF PRISON,
O/O. THE ADDITIONAL DIRECTOR GENERAL OF PRISON,
WHANNELS ROAD,
EGMORE,
CHENNAI.

3 THE SUPERINTENDENT OF CENTRAL PRISON,
CENTRAL PRISON,
PALAYAMKOTTAI,
TIRUNELVELI.

... RESPONDENTS

PRAYER IN WMP(MD) No.2334/2024:

Writ Miscellaneous Petition filed praying that in the circumstances stated
<https://www.mhc.tn.gov.in/judis>



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therein and in the affidavit filed therewith the High Court may be pleased to extend an interim bail period for 3 months upon the order passed on favour of petitioners son in WMP(MD).No.17155 of 2023 dated 03.11.2023 till pending disposal of main writ petition in WP(MD).No.25085 of 2022 and thus render justice.

PRAYER IN WMP(MD) No.17155/2023:

Writ Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to direct the Respondent No.2 and 3 to grant Interim parole for a period of 6 months to Petitioners son namely Rahmathullah who is a life convict in a murder case and languishing in Palayankottai Central Prison for the past 24 years by considering the affidavit along with the writ petition on W.P.(MD) No. 25085 of 2022.

PRAYER IN WP(MD). 25085/ 2022 :

To issue a Writ of Certiorarified Mandamus, to call for the records of Impugned G.O.(D).NO. 108 dated on 29.01.2022 issued by the respondent No.2 and quash the same as bad in law and direct the respondent No.2 to release the petitioners son prematurely on considering the relevant G.Os.

ORDER : This Writ Miscellaneous Petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.SMA JINNAH, Advocate for the petitioner and of Mr.SRAVI, Additional Public Prosecutor on behalf of the Respondents, the court made the following order:-

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Miscellaneous Petition has been filed to extend the interim bail granted by this Court to the petitioner's son in W.M.P.(MD) No.17155 of 2023 in W.P. (MD) No.25085 of 2022, dated 03.11.2023.

2. Earlier this Court has passed an order in favour of the petitioner's son by granting interim bail for a period of three months. Now, the said period expires on



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10.02.2024.

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3. Now, according to the petitioner, the benefit of premature lease has been granted in favour of the co-accused Sheik Zinda Madhar @ Jaffer @ Zinda on the occasion of the 115th Birthday of Dr.Peraringnar Anna on 15.09.2023 vide G.O.(Ms). No.92 Home (Prison-IV) Department, dated 06.02.2023, and in the instant case, the respondent department has recommended to the Government on the same line and the same is pending for approval with the Government.

4. The said submissions of the learned counsel for the petitioner is not disputed by the learned Additional Public Prosecutor appearing for the respondents.

5. In view of the above, this Writ Miscellaneous Petition is partly allowed and the interim bail granted by this Court on 03.11.2023 in W.M.P.(MD) No.17155 of 2023 in W.P.(MD) No.25085 of 2022 is extended by four weeks from 10.02.2024.

sd/-
07/02/2024

/ TRUE COPY /

13/02/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJ
TO
1 THE PRINCIPAL SECRETARY TO GOVERNMENT,
O/O. THE PRINCIPAL SECRETARY TO GOVERNMENT,
HOME (PRISON IV) DEPARTMENT,
SECRETARIAT, ST. GEORGE FORT, CHENNAI.

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2 THE ADDITIONAL DIRECTOR GENERAL OF PRISON,
O/O. THE ADDITIONAL DIRECTOR GENERAL OF PRISON,
WHANNELS ROAD, EGMORE, CHENNAI.

3 THE SUPERINTENDENT OF CENTRAL PRISON,
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI.

COPY TO:

1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
TIRUCHIRAPPALLI.

2 THE INSPECTOR OF POLICE, MELAPALAYAM POLICE STATION,
TIRUNELVELI DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
WMP(MD) No.2334 of 2024 IN
WP(MD) No.25085 of 2022
Date :07/02/2024

SA/JGB/SAR. /13.02.2024/4P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.