



W.P.(Crl.) No.3. 10.12.2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.(Crl.) No. 3946 of 2025

Ranganayagi

... Petitioner

Vs.

1. The Additional Chief Secretary to Government,
Government of Tamilnadu, Home, (Prisons-IV) Department,
Secretariat, Fort St. George, Chennai – 600 009.
2. The Director General of Prisons,
Office of the Director General of Prisons,
Whannels Road, Egmore,
Chennai – 600 008.
3. The Superintendent, Central Prison,
Office of the Superintendent of Central Prison, Trichy-20.
4. The District Collector, Villupuram, Villupuram District.
5. The Inspector of Police, Kottakuppam Police Station,
Villupuram District.

... Respondents

Prayer: This Writ Petition (Criminal) has been filed under Article 226 of the Constitution of India seeking to issue Writ of Certiorarified Mandamus to call for the records of the order passed by the first respondent vide G.O.(D).No.1542 Home (Prison-IV) Department dated 23.12.2024 is illegal and quash the same and consequently direct



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the first respondent to consider release of the petitioner's husband by premature release based on the order issued in G.O.(Ms)No.488 Home (Prison-IV) Department dated 15.11.2021 by the same office.

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For Petitioner : Mr.G.Anbuechezheiyen

For Respondents : Mr.R.Muniyapparaj, Addl. Public Prosecutor,
Assisted by Mr.M.Sylvester John

ORDER

(Order of the Court was made by P.VELMURUGAN, J.)

This writ petition has been filed to quash the order passed by the first respondent vide G.O.(D).No.1542 Home (Prison-IV) Department dated 23.12.2024 as illegal and consequently direct the first respondent to consider petitioner's representation for her husband's premature release based on the order issued in G.O.(Ms)No.488 Home (Prison-IV) Department dated 15.11.2021.

2 Heard the learned counsel on either side and perused the documents.

3 It is seen that the petitioner has challenged the impugned order in G.O. (D).No.1542 Home (Prison-IV) Department dated 23.12.2024, whereby the petitioner's representation to consider her husband's pre-mature release has been rejected based on the report of the Advisory Board and the relevant portion of the same is extracted



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“6. The Government after careful examination of the non-recommendation of the Advisory Board under Rule 341 of Tamilnadu Prison Rules, 1983, along with connected records in respect of the Life Convict Prisoner No.20297, Gangadurai @ Gangadharan, Son of Nagappan have decided to accept the same and to reject the case of premature release of the Life Convict Prisoner No.20297, Gangadurai @ Gangadharan, Son of Nagappan, confined in Central Prison, Trichy under Advisory Board Scheme and order accordingly for the following reasons:-

The Advisory Board has perused the reports of the Probation Officer, District Collector and enquired the prisoner and observed that on verification of the prisoner, it is noted that he has no satisfactory behavior inside the prison and he attempted to escape and his conduct inside the prison is not satisfactory as per the report and his premature release will not yield anything to change his life style. Hence, the Advisory Board has not recommended his case for premature release.”

4 However, on the day of passing the above impugned order, new Rules, viz. The Tamil Nadu Prison Rules, 2024, came into force, but the impugned order has been passed under the Old Rules. Therefore, on that score, the impugned order is liable to be quashed.

5 Accordingly, the impugned order is set aside with a direction to the respondents to consider the petitioner's representation, which has already been given, for her husband's premature release under the New Rule viz. The Tamil Nadu Prison



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Rules, 2024 and pass orders in accordance with law as expeditiously as possible, without insisting for fresh representation.

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6 In the result, this Writ Petition stands disposed of with the above directions.

[PVJ]

[MJRJ]

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To

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2. The Director General of Prisons,
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Office of the Superintendent of Central Prison, Trichy.
4. The District Collector, Villupuram, Villupuram District.
5. The Inspector of Police, Kottakuppam Police Station, Villupuram District.
6. The Public Prosecutor, Madras High Court.



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