



WEB COPY



W.P.No.35640 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2025

CORAM :

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

W.P.No.35640 of 2024
and WMP.No.38501 of 2024

Mrs.D.Bagyam

... Petitioner

Vs.

The State rep by its
The Additional Chief Secretary to Government
Home (Prison- IVA) Department, Secretariat,
Fort St.George, Chennai – 600 009.

2.The Director General of Prisons
Gandhi Irwin Road, CMDA Building
2nd Tower, Egmore, Chennai – 600 008.

3.The Superintendent of Prisons,
Central Prison at Trichy – 20.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the first respondent to release the son of the petitioner/convict namely Mr.D.Karthikeyan s/o.Dulasi @ Dulasidoss (LCT.No.21122) confining at 3rd respondent herein by considering petitioner's son/Convict representation dated 16.11.2023 and 10.10.2024.



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For Petitioner : Mr.M.Mohamed Saifulla
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

The petitioner has submitted representations seeking premature release of the convict prisoner Mr.D.Karthikeyan s/o.Dulasi @ Dulasidoss – Convict No.21122, the prisoner is now confined at Central Prison, Trichy.

2. The learned Additional Public Prosecutor would submit that the application seeking premature release is under active consideration of the Government.

3. The learned counsel for the petitioner would submit that the co-accused has already been released prematurely by the Government and the similar consideration is to be shown in favour of the convict prisoner in the present case. However, it is for the respondents to consider all these aspects on merits and to take a decision and pass orders.



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4. We direct the first respondent to consider the application submitted seeking premature release of the convict prisoner and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. Accordingly, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S., J.]

[M.J.R., J.]

02.01.2025

Index: Yes/No

Speaking/Non-speaking order
tsh

To

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