



WEB COPY



W.P.No.37835 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE V. LAKSHMINARAYANAN

W.P.No.37835 of 2024
and W.M.P.No.40901 of 2024

Ayyappan

... Petitioner

Vs.

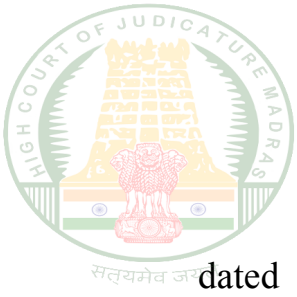
1.The State rep. by its,
The Additional Chief Secretary (Prison-IV)
Home Department,
Secretariat, Fort St.George,
Chennai – 600 009.

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

3.The Superintendent of Prison,
Central Prison at Puzhal-I,
Thiruvallur District – 600 066.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, calling for the records pertaining with an impugned order in G.O.(D) No.1131



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dated 25.09.2024 passed by the 1st respondent to quash the same and consequently direct the respondents to release the petitioner/convict prisoner namely Ayyappan, S/o.Srirangathevar, CT.No.5627.

For Petitioner : Mr.M.Mohamed Saifulla

For Respondents : Mr.E.Raj Thilak,
Additional Public Prosecutor

ORDER

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

The main ground on which the petitioner's request for releasing him prematurely from the Prison was rejected is that on the date on which the rejection order was passed, a case involved in Crime No.604 of 2018 was pending trial and therefore, he was ineligible for premature release under G.O.Ms.No.488, Home (Prison-IV) Department, dated 15.11.2021. The other ground on which his request was rejected is that he has not completed 14 years of imprisonment as required under G.O.Ms.No.430, Home (Prison-IV) Department, dated 11.08.2023.



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2. It is now brought to our notice that the case culminated from Crime No.604 of 2018 has been quashed by this Court in Crl.O.P.No.24109 of 2022 dated 10.10.2022. It is also claimed by the learned counsel for the petitioner that the petitioner/convict prisoner has now completed 14 years of imprisonment.

3. As such, this is a case where the petitioner's request requires reconsideration.

4. Accordingly, the impugned order dated 25.09.2024 passed in G.O.(D) No.1131 by the first respondent, is hereby quashed and the matter is remitted back to the first respondent for reconsideration. Consequently, the petitioner is granted liberty to make a fresh representation to the Government seeking for premature release. On receipt of such representation, the Government shall consider it on its own merits and pass appropriate orders in accordance with law, within a period of three (3) months from the date of receipt of a copy of the representation.



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5. With the above directions, this Writ Petition stands disposed of.

No costs. Connected miscellaneous petition is closed.

[M.S.R, J.]

[V.L.N, J.]

20.08.2025

Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

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To

- 1.The Additional Chief Secretary (Prison-IV)
Home 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 Prison,
Central Prison at Puzhal-I,
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- 4.The Public Prosecutor,
High Court, Madras.



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M.S.RAMESH, J.
and
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