



WP.No.37441 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 20.03.2025

CORAM :

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

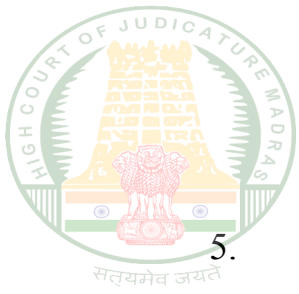
W.P.No.37441 of 2024
(SUO - Motu - WP)

Suo motu

Petitioner

vs.

1. The Principal Secretary to Government,
Home (Prison) Department,
Fort St.George, Chennai - 600 009.
2. The Director General of Prison and
Correctional Services,
Annai EVR Maniammai Salai,
Egmore, Chennai - 600 008.
3. The Member Secretary,
State Legal Services Authority,
High Court Campus,
Chennai - 600 104.
4. The Registrar General,
High Court, Madras - 600 104.



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5. The Chief Secretary,
Government of Puducherry,
Puducherry.

... Respondents

[R4 and R5 are suo motu impleaded
as per order dated 09.12.2024 in W.P.
No.37441 of 2024 by SMSJ and MJRJ]

Suo Motu writ petition filed under Article 226 of Constitution of India to issue writ of mandamus directing the Authorities concerned to ensure compliance of the Court orders and to provide financial assistance to the poor prisoners under the Scheme as per G.O. (Ms)No.89, Home (Prison-III) Department dated 05.02.2024 and for effective communication of bail orders by all the Courts to Prison Authorities without causing any delay and for effective monitoring of these issues within the time stipulated by this Court.

For Petitioner	: Suo Motu
For R1	: Mrs.E.Ranganayaki Additional Government Pleader
For R2	: Mr.M.Babu Muthu Meeran Additional Public Prosecutor
For R3	: Mr.C.S.S.Pillai
For R4	: Mr.Arjun Suresh
For R5	: Mr.K.Mohandoss Public Prosecutor (Puducherry)



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ORDER

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

The Writ of Mandamus has been instituted to direct the Authorities concerned to ensure compliance of the Court orders and to provide financial assistance to the poor prisoners under the Scheme as per G.O. (Ms). No.89, Home (Prison-III) Department, dated 05.02.2024 and for effective communication of bail orders by all the Courts to Prison Authorities without causing any delay and for effective monitoring of these issues.

2. Learned Counsel for the Legal Services Authority would submit that the reports have already been obtained, and day-to-day monitoring is being done to ensure that the prisoners who have been released on bail, are released from the prison without causing any undue delay.

3. The actions in this regard are consistently monitored by the prison authorities and the Legal Services Authorities. The competent prison authorities are directed to immediately inform the Legal Services Authority or the counsel appearing on behalf of the prisoners, about the prisoners who



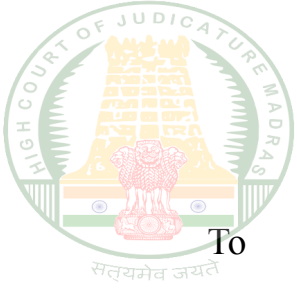
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have been granted bail by the Courts, but are still languishing in jail, in order to enable the authorities or the counsel to initiate all appropriate actions to ensure that those prisoners are released from prison and not kept inside the prison unnecessarily, which would result in violation of human rights. Once bail is granted, the prisoner is entitled for release forthwith. Such a right being a constitutional right and 'Right to Life' ensured under the Constitution, any delay would result in violation of human rights. Thus, the prison authorities and the Legal Aid Authorities shall follow the procedures scrupulously and ensure that no prisoner unnecessarily languishes in prison even after the grant of bail.

4. Accordingly, the Writ Petition stands disposed of. No costs.

[S.M.S., J.] [M.J.R., J.]
20.03.2025

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
veda/gd



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To

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