



Cont.P(MD) No.1195 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 19.06.2025

CORAM:

THE HONOURABLE **MR.JUSTICE A.D.JAGADISH CHANDIRA**

AND

THE HONOURABLE **MS.JUSTICE R.POORNIMA**

Cont.P(MD)No.1195 of 2025

in

W.P(MD)No.817 of 2024

T.Brinthatharan

... Nil/Petitioner

Mrs.Petchi Ammal

... Petitioner/
Mother of the Writ Petitioner

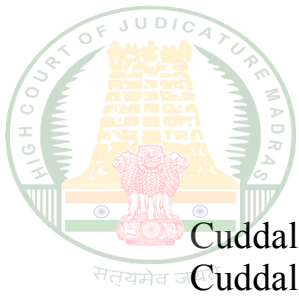
-Vs-

1.Mr.Mahesh Kumar Agarwal, I.P.S.,
Additional Director General of Police/
Inspector General of Prison,
C.M.D.A.Towers II,
No.1, Gandhi Irvin Road,
Egmore, Chennai-600 008.

2.Mr.M.S.Muthusamy
Deputy Inspector General of Police,
Vellore Division
Madurai Central Prison Campus,
Vellore.

3.Mr.Parasuraman
The Superintendent of Prison,

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Cuddalore Central Prison,
Cuddalore.

... Contemnor No.1-3/
Respondents 2 – 4

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(The cause title accepted as per Court Order
dated 04.04.2025 in Sub.A(MD)No.76 of 25)

PRAYER: Contempt Petition filed under Section 11 of Contempt of Courts Act, 1971, to punish the contemnor No.1 – 3/Respondent No.2 -4 herein for their wilful, deliberate, disobedience of the order dated 03.06.2024 passed in W.P(MD)No.817 of 2024 by this Court.

For Petitioner : Mr.P.Jeyasankar

For R1 to R3 : Mr.S.Ravi,
Additional Public Prosecutor

ORDER

(Order of the Court was made by A.D.JAGADISH CHANDIRA,J.)

This contempt petition is filed to punish the contemnor No.1 – 3/Respondent No.2 -4 for their willful, deliberate, disobedience of the order dated 03.06.2024 passed in W.P(MD)No.817 of 2024.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.



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3.The case of the petitioner is that she is the wife of the convict prisoner, who was convicted in S.C.No.99 of 2006 by the Additional District Sessions Court, FTC-II, Tuticorin, by judgment dated 26.10.2006 and in S.C.No.170 of 2001 by the Additional District Sessions Judge, FTC-II, by judgment dated 10.04.2008. The petitioner's husband, as on today, completed more than 17 years of imprisonment. As per G.O.(Ms)No.430, dated 11.08.2023, the petitioner sent a representation dated 11.08.2023 for premature release of the convict prisoner. After receiving the same, the Advisory Board in its meeting dated 27.09.2022 took the old reports received from the District Collector during the year 2017, rejected the petitioner's representation. Based on the recommendation of the Advisory Board to reject the representation for premature release, the Government passed an order dated 31.10.2023, vide G.O.(Ms)No.1260. Pursuant to which, the petitioner's son filed a writ petition in W.P(MD)No.817 of 2024 before this Court and this Court vide order dated 03.06.2024, allowed the said writ petition and directed the respondents 2 to 4 to place the case of the petitioner's father before the Advisory Board, after calling for the reports from the concerned District Collector and Probation Officer, for passing orders afresh. Alleging that the order of this Court has not been complied with. The present contempt petition has been filed.



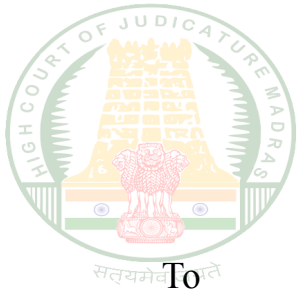
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4.The learned Additional Public Prosecutor, on instructions, submitted that the respondent Prison Authority in due compliance of the order passed by this Court have called for the reports from the concerned District Collector and the Probation Officer and have placed the case of the petitioner before the Advisory Board and the same is pending before the State Level Committee. He would further submit that since the order of this Court has been complied with, the contempt petition will not lie.

5.The order of this Court dated 03.06.2024 has been duly complied with by the respondents. In such view of the matter, the question of contempt will not arise. Hence, the contempt petition stands dismissed.

[A.D.J.C., J.] & [R.P., J.]
19.06.2025

NCC:Yes/No
Index:Yes/No
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To

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- 1.The Additional Director General of Police/
Inspector General of Prison,
C.M.D.A.Towers II,
No.1, Gandhi Irvin Road,
Egmore, Chennai-600 008.
- 2.The Deputy Inspector General of Police,
Vellore Division
Madurai Central Prison Campus,
Vellore.
- 3.The Superintendant of Prison,
Cuddalore Central Prison,
Cuddalore.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND

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