



W.P(MD)No.6041 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**DATED : 29.04.2025**

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN**

**AND**

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

**W.P.(MD)No. 6041 of 2025**

**and**

**W.M.P(MD)No. 4434 of 2025**

Sannasi

... Petitioner

-Vs-

**1. The State of Tamil Nadu, Represented by**

The Principal Secretary to Government,  
Home (Prison-IV), Department,  
State of Tamil Nadur,  
Secretariat, Saint George Fort,  
Chennai – 9.

**2. The Additional Director General of Police /**

Inspector General of Prisons,  
C.M.D.A.Towers II,  
No.1, Gandhi Irvin Road,  
Egmore, Chennai - 8.

**3. The Deputy Inspector General of Prison,**

Office of the Deputy Inspector General of Prison,  
Madurai Division,  
Madurai Central Prison Campus,  
Madurai - 16.

**4. The Superintendent of Prison,**

Madurai Central Prison,  
Madurai District.

... Respondents



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**PRAYER:** Petition is filed under Article 226 of the Constitution of India, to issue a ***Writ of Mandamus***, directing the respondents to premature release the brother by name Senthil, (C.P.No.4628) son of Ramamoorthi, aged about 49 years now lodged and confined at Central Prison, Madurai have completed the more than 21 years of actual sentence on the basis of the Humanitarian Ground in Government Letter M.S.No.1358, Home dated 10.11.1994 and the advisory board scheme Rule 341(2) Tamil Nadu Prison Rules 1983 and G.O.Ms.No.596 of 2023 dated 24.11.2023 by considering petitioner's representation, dated 17.12.2024 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R. Prakash

For Respondents : Mr.A.Thiruvadi Kumar,  
Additional Public Prosecutor

### **ORDER**

**DR.G.JAYACHANDRAN, J.**

**AND**

**R.POORNIMA, J.**

This Writ petition is filed by one Sannasi, claiming to be a relative of the life convict. The case history reveals that it is a case of murder, in which the life convict was initially sentenced to death by the Trial Court, however, the sentence was later modified to life imprisonment on appeal.



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2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents. We have also perused the material documents available on record.

3. Considering the fact that, even when the matter was placed before the Advisory Board, they did not recommend premature release.

4. The Learned Additional Public Prosecutor appearing for the respondents submitted that the life convict faces a potential threat from the victim's side, and therefore, in the light of the dictum laid in various Judgments of the Hon'ble Supreme Court, the petitioner's request for premature release on humanitarian grounds cannot be entertained.

5. The Learned Counsel appearing for the petitioner submitted that the Hon'ble Supreme Court, in the matter of inter-policy strategy for grant of bail, had framed guidelines for the Government regarding the grant of bail and pre-mature release. Pursuant to that, the Government of Tamilnadu passed G.O.Ms.No.596 dated 24.11.2023, wherein the Standard Operative Procedure [SOP] for considering the



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request for premature release was formulated. As per the SOP, the first eligible candidates to be identified and applications are to be prepared and submitted to the recommending authority with the assistance of the District Legal Services Authorities. Thereafter, the advisory board has to consider the request and either recommend for pre-mature release or decline it. This process to be done periodically, once every four months. On receipt of the Advisory Board's report, either recommending or declining the request, the State has to decide on the application within a period of two months. However, in the present case, even though the Advisory Board declined to recommend release in its report dated 27.09.2024, the Government has not yet considered the report, which is contrary to the provisions of G.O.Ms.No.596 dated 24.11.2023.

6. This Court, on perusing the said G.O. cited above, finds that the State, after receiving the Advisory Board's report dated 27.09.2024, has not taken any action sofar.

7. Hence, this writ petition is disposed off, directing the 1st respondent to consider the application for premature release in light of the Advisory Board's opinion and to pass an appropriate order within a



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period of two weeks, from the date of receipt of a copy of the order. No

Costs. Consequently, connected miscellaneous petition is closed.

**[G.J., J.] & [R.P., J.]**  
**29.04.2025**

NCC : Yes / No  
Index : Yes / No  
KSA

To

The Principal Secretary to Government,  
Home (Prison-IV), Department,  
State of Tamil Nadur,  
Secretariat, Saint George Fort,  
Chennai – 9.

2. The Additional Director General of Police /  
Inspector General of Prisons,  
C.M.D.A.Towers II,  
No.1, Gandhi Irvin Road,  
Egmore, Chennai - 8.

3. The Deputy Inspector General of Prison,  
Office of the Deputy Inspector General of Prison,  
Madurai Division,  
Madurai Central Prison Campus,  
Madurai - 16.

4. The Superintendent of Prison,  
Madurai Central Prison,  
Madurai District.

5. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**DR.G.JAYACHANDRAN, J.**

**AND**

**R.POORNIMA, J.**

KSA

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