



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.04.2025

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MS JUSTICE R.POORNIMA**

W.P(MD)No.8615 of 2025

Veeramakali

... Petitioner

.Vs.

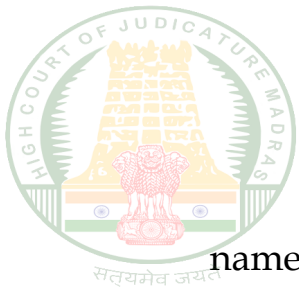
1.The State through
The Additional Chief Secretary to Government,
Home(Prison-IV)Department,
Fort St.George,
Chennai-9.

2.The Director General of Prisons,
Gandhi Irwin Road,
CMDA Building,
2nd Tower, Egmore,
Chennai-08.

3.The Superintendent of Prison,
Central Prison,Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of mandamus directing the respondents to release the husband of the Petitioner /convict



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namely, Balakrishnan, son of Vellaichami Thevar, Life Convict No. 4554, until decision taken by the first respondent in pursuance or the order of this Court in W.P(MD)No.30977 of 2024, dated 11.3.2025.

For Petitioner : Mr.S.Srikanth

For Respondents : Mr.A.Thiruvadi Kumar
Addl. Public Prosecutor

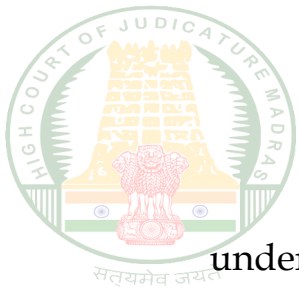
ORDER

DR.G.JAYACHANDRAN., J
AND
R.POORNIMA.,J

This Writ Petition is filed seeking issuance of a Writ of mandamus directing the respondents to release the husband of the Petitioner/convict namely, Balakrishnan, son of Vellaichami Thevar, Life Convict No.4554, until a decision taken by the first respondent in pursuance or the order of this Court in W.P(MD)No.30977 of 2024, dated 11.3.2025.

2.Heard the learned counsel for the petitioner and perused the materials placed before this Court.

3.The life convict by name, Vellaichami Thevar is suffering from chronic Kidney disease Stage-V and for his survival, he is



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undergoing Haemo dialysis twice. His wife filed W.P(MD)No. 30977 of 2024 seeking premature release on the ground challenging the rejection of the request by the authorities. This Court, after considering the records placed before it, thought it fit that the State has to reconsider the request afresh either based on the Board Opinion already obtained or to be obtained fresh opinion and a decision to be taken within six weeks from the date of order. After disposal of the Writ Petition on 11.03.2025, the present Writ Petition is filed seeking release of the petitioner until a decision is taken by the first respondent pursuant to the order of this Court, dated 11.03.2025.

4. This Court is not inclined to entertain the present Writ petition as it circumvent the orders of this Court passed earlier. However, to consider whether the life convict requires better treatment than what is provided in the prison. This Court directs the Medical; Board at Rajaji Government Hospital, Madurai to examine the life convict and report and accordingly, a report, dated 8.4.2025 is placed before this Court. The report says his body condition is maintaining.

5. In view of the opinion given by the Doctor instead of transporting the life convict twice a week from prison to hospital,



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we are of the opinion that the life convict to be admitted as inpatient in Rajaji Government Hospital, Madurai for a period of two weeks and to give intensive care to stabilise his health with constant monitoring of medication. After two weeks of inpatient care, the life convict may be shifted back to the prison subject to the decision of the Medical Board, which is now pending pursuant to the order passed by this Court in W.P(MD)No.30977 of 2024, dated 11.03.2025.

6.The Writ Petition is disposed of accordingly.

[G.J.J.] [R.P.J.]
09.04.2025

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
vsn

To

1.The Additional Chief Secretary to Government,
Government of Tamil Nadu
Home(Prison-IV)Department,
Fort St.George,
Chennai-9.

2.The Director General of Prisons,

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Gandhi Irwin Road,
CMDA Building,
2nd Tower, Egmore,
Chennai-08.

3.The Superintendent of Prison,
Central Prison,Madurai.



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DR.G.JAYACHANDRAN, J.
and
R.POORNIMA, J.

vsn

ORDER MADE IN

W.P(MD)No.8615 of 2025

09.04.2025