



W.P.Crl(MD) No.385 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.Crl(MD)No.385 of 2025

Murugesh

... Petitioner/

-Vs-

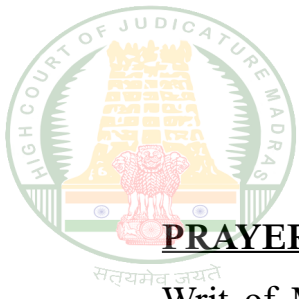
1.State of Tamil Nadu, Represented by
The Principal Secretary,
Home, Prohibition and Excise Department,
State Secretariat, Fort St.George,
Chennai-600 009.

2.The Director General of Police/
Director General of Prisons and Correctional Service,
C.M.D.A., Towers II,
No.1, Gandhi Irvin Road,
Egmore, Chennai.

3.The Deputy Inspector General of Prisons,
Madurai Range,
Madurai Central Prison Campus,
New Jail Road, Madurai District.

4.The Superintendent of Prison,
Palayamkottai Central Prison,
Tirunelveli District.

... Respondents



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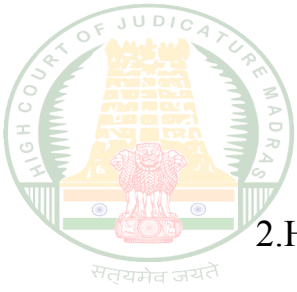
PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to release the petitioner by name Murugesh, son of Nambi Asari, aged about 46 years now confining as convict prisoner in Palayamkottai Central Prison under Government Order in G.O. (Ms)No.430 Home (Prison-IV) Department, dated 11.08.2023 issued by the respondent No.1 or under the Advisory Board Scheme as per Rule 341 of the Tamil Nadu Prison Rules, 1983, or any appropriate Government Order as any other premature release scheme issued by the respondent No.1 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.S.Rameshkumar
For Respondents : Mr.S.Ravi,
Additional Public Prosecutor

ORDER

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

This writ petition has been filed for issuance of a writ of Mandamus directing the respondents to release the petitioner by name Murugesh, son of Nambi Asari, aged about 46 years, now confining as convict prisoner in Palayamkottai Central Prison under Government Order in G.O.(Ms)No.430 Home (Prison-IV) Department, dated 11.08.2023 issued by the respondent No.1 or under the Advisory Board Scheme as per Rule 341 of the Tamil Nadu Prison Rules, 1983, or any appropriate Government Order as any other premature release scheme issued by the respondent No.1 in accordance with law within the time stipulated by this Court.



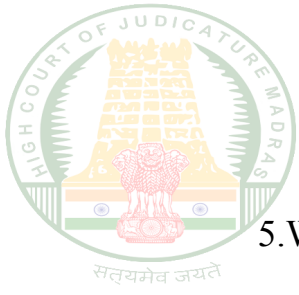
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2. Heard the learned counsel for the petitioner and the learned Additional

Public Prosecutor appearing for the respondents.

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor, on instructions submitted that since the case of the petitioner does not qualify for premature release in pursuant to the G.O.(Ms)No.430 Home (Prison-IV) Department, dated 11.08.2023, the case has been referred to the Advisory Board and the report has been sent on 04.11.2024, the Probationary Officer has recommended the case of the convict prisoner and the report of the trial Judge is awaited.

4. Taking into consideration the facts and circumstance of the case and the limited relief sought for in the writ petition and without going into the merits of the case, there shall be a direction to the respondents to consider the representation made by the petitioner dated 12.06.2025 strictly in accordance with law and take a decision as expeditiously as possible preferably, within a period of twelve weeks from the date of receipt of a copy of this order.



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5. With the above direction, this Writ Petition stands disposed of. No costs.

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[A.D.J.C., J.] & [G.A.M., J.]
03.07.2025

NCC : Yes / No

Index : Yes / No

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To

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3. The Deputy Inspector General of Prisons,
Madurai Range,
Madurai Central Prison Campus,
New Jail Road, Madurai District.

4. The Superintendent of Prison,
Palayamkottai Central Prison,
Tirunelveli District.

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



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A.D.JAGADISH CHANDIRA, J.

AND

G.ARUL MURUGAN, J.

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