



W.P.Crl.(MD)No.1207 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2025

CORAM:

**THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN
AND
THE HONOURABLE MS.JUSTICE R. POORNIMA**

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Arulraj

... Petitioner

-VS-

- 1.State of Tamilnadu,
Rep. by the Secretary to Government,
Home (Prison IV) Department,
Secretariat, Fort St George,
Chennai-600 009.
- 2.The Director General of Prisons and Correctional Services,
Egmore, Chennai-600 008.
- 3.The Deputy Inspector General of Prisons and Correctional Services,
Trichy Range,
Race Course Road, Kozhi Pannai,
Trichy-620 023.
- 4.The Superintendent of Prison,
Trichy Central Prison, Trichy.
- 5.The District Collector,
Dindigul District, Dindigul.

... 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's father namely Arockiasamy, son of Chinnaraj @ Jesuraj, LCT No.5457 aged 62 years confining at Trichy Central Prison, as life convict as per the G.O(Ms)No.488 dated 15.11.2021 issued by the first respondent and consequently direct the respondents and constitute and place him before the advisory board under Rule 341 of Tamil Nadu Prison Rules, 1983.

For Petitioner : Mr.R.Venkatesan
For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

(Order of the Court was made by G.K. ILANTHIRAIYAN,J.)

This writ petition has been filed for a direction directing the respondents to release his father, who is confined at Trichy Central Prison, as life convict as per the G.O(Ms)No.488, dated 15.11.2021 issued by the first respondent and also sought for a direction directing the respondents to place the prisoner before the advisory board under Rule 341 of Tamil Nadu Prison Rules, 1983.



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2. The petitioner's father, aged about 62 years was convicted and sentenced to undergo life imprisonment in S.C.No.87 of 2011 for the offence under Section 302 r/w 34 IPC, on the file of the Fast Track Mahila Court, Dindigul. The said conviction and sentence was also confirmed by this Court in C.A.No.428 of 2016. The petitioner's father is incarceration of imprisonment for more than 10 years. Therefore, the petitioner submitted a representation seeking premature release of his father on various grounds including the ground of sick on the basis of the G.O(Ms)No.488, dated 15.11.2021

3. On a perusal of the counter affidavit filed by the respondents and also on the submission made by the learned Additional Public Prosecutor reveals that the Government passed an order on the eve of 113th Birthday of Dr.Peraringnar Anna on 15.09.2021 vide in G.O(Ms)No.488, Home (Prison-IV) Department, dated 15.11.2021 as amended in G.O(Ms)No.508, Home (Prison-IV) Department, dated 18.11.2021 ordered for premature release on a case to case basis.



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4. As far as the petitioner's father is concerned, he had undergone 6 years, 10 months and 7 days of actual imprisonment as on 15.09.2021. As per the Government Order, the petitioner's father is not entitled for any premature release since he did not complete 10 years of actual imprisonment on the crucial date i.e., as on 15.09.2021. Therefore, the representation submitted by the petitioner seeking premature release on the basis of the Government Order cannot be considered.

5. That apart, the learned counsel for the petitioner also relied upon Rule 348 (1) (ii) of Tamil Nadu Prison Rules, 2024. As per the Rule, those, who completed 10 years of imprisonment, are eligible for premature release. It is relevant to extract Rule 348(1)(ii) of the Tamil Nadu Prison Rules, 2024:-

“(ii) Life convicts (men and young offenders) on completion of 10 years of imprisonment, including remission, except those covered under Section 475 of the Bharatiya Nagarik Suraksha Sanhita, 2023, (Central Act 46 of 2023), whose cases will be considered after completing 14 years of actual imprisonment.”



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6. Even accordingly, their cases will be considered only after completion of 14 years of actual imprisonment. Therefore, the case of the petitioner's father will be considered for premature release only on completion of 14 years of imprisonment.

7. In view of the above, the direction as such sought for cannot be granted and hence, the writ petition is devoid of merits and it is liable to be dismissed. Accordingly, the writ petition is dismissed. However, the petitioner is at liberty to submit a fresh representation seeking premature release in compliance of Rule 348(1)(ii) of Tamil Nadu Prison Rules, 2024 and the Government Orders.

[G.K.I., J.]

[R.P., J.]

08.12.2025

am

NCC :Yes/No

Index: Yes/No

Internet: Yes/No



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Madurai Bench of Madras High Court,
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