



W.P.(MD) No.26782 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

W.P.(MD)No.26782 of 2024

and

W.M.P(MD)No.22711 of 2024

G.Perumal

... Petitioner/

-Vs-

1.State of Tamil Nadu,
Rep by the Principal Secretary to Government,
Home (Prison IV) Department,
Secretariat, Fort St George,
Chennai-600 009.

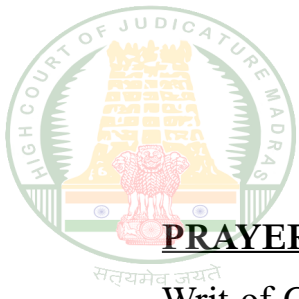
2.The Additional Director General of Police and
Inspector General of Prisons,
No.1, Gandhi Irwin Road, Egmore,
Chennai-600 008.

3.The Deputy Inspector General of Prisons,
Trichy Range, Race Course Road,
Trichy-620 023.

4.The Superintendent of Prison,
Central Prison,
Trichy-620 020.

... Respondents

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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 1st respondent vide proceedings in G.O(D)No.694 dated 04.06.2024 and quash the same as illegal and void and consequently direct the respondents to release the petitioner's son namely Doss @ Vattakkan @ Perumal @ Pethaperumal, S/o.Perumal, aged about 37 years, Life convict bearing Convict Prisoner No.23331, confined at Central Prison, Trichy, who has completed more than 10 years of actual sentence on the basis of G.O(Ms)No.488(Home Prison-IV) Department, dated 15.11.2021.

For Petitioner : Mr.K.A.S.Prabhu
For Respondents : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

ORDER

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

The order dated 04.06.2024, passed by the first respondent, rejecting the petitioner's request for premature release of the petitioner's son, is under challenge in this writ petition.

2.The learned counsel appearing for the petitioner submitted that though the convict prisoner was eligible as per G.O.Ms.No.488, dated 15.09.2021. The case of the petitioner was not considered, during the relevant time, since the Probationary Officer, District Level Committee and State Level Committee had not recommended the case of the petitioner. The learned counsel for the petitioner



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further submitted that the petitioner has not been convicted any prison offence and therefore, he prays to set aside the order of rejection.

3.Per contra, the learned Additional Public Prosecutor appearing for the respondents has filed a counter and submitted that since the Probationary Officer, State Level Committee and District Level Committee have not recommended the case of the petitioner, the request of the convict prisoner was rejected. The learned Additional Public Prosecutor further submitted that as on 06.12.2024, the convict prisoner has completed the incarceration for a period of 14 years one month and 7 days. The case of the convict prisoner will be placed before the Advisory Board for consideration as per Rule 349 of the Tamil Nadu Prison Rules, 2024.

4.Since the Probationary Officer, State Level Committee and District Level Committee have not recommended the case of the convict prisoner, we are not inclined to interfere with the order of rejection passed by the first respondent. However, the Advisory Board, after obtaining fresh report of the Probationary Officer, shall consider the case of the life convict and pass orders in accordance with law, 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 observation and direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

[A.D.J.C., J.] & [R.P., J.]
18.06.2025

NCC : Yes / No

Index : Yes / No

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To

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



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