



W.P.Crl.(MD) No.276 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21/01/2026

CORAM:

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

**W.P.Crl.(MD) No.276 of 2026
and
W.M.P.Crl.(MD)No.76 of 2026**

Krishna Prasad

... Petitioner

-VS-

- 1.The State of Tamil Nadu,
Rep. by its Home Secretary (Prison),
Secretariat, Fort St. George,
Chennai-600 009.
- 2.The Director General of Prisons,
Prison Headquarters,
No.1, Gandhi Iwrin Road,
Egmore, Chennai-600 008.
- 3.The Superintendent,
Central Prison, Palayamkottai,
Tirunelveli District-627 002.



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4.The Superintendent,
Central Prison,
Thiruvananthapuram,
Kerala State-695 023.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the records relating to the proceedings in No.5667/Thaku.2/2025 (CT.No.5667ShajiTransfer) by the third respondent dated 25.07.2025 directing the respondents to permanently transfer the petitioner's father Shaji, S/o.Appavu PID No.417262, to Central Prison, Palayamkottai.

For Petitioner : Mr.P.M.Basil

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 challenging the order passed by the third respondent, dated 25.07.2025, thereby rejecting the request made by the convict seeking transfer of prison from Central Prison, Palayamkottai to Central Prison, Thiruvananthapuram, Kerala State.



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2. The petitioner's father was convicted in C.C.No.14 of 2023 by the judgment dated 06.08.2024 for the offences punishable under Section 8(c) r/w 22(c) and 29(1) of the NDPS Act and sentenced him to undergo 10 years Rigorous Imprisonment and to pay a fine of Rs.1,00,000/- in default to undergo Simple Imprisonment for one year. Aggrieved by the same, the convict filed an appeal before this Court and it is pending in Crl.A(MD)No.1055 of 2024. While being so, the convict submitted a representation seeking transfer of prison from Central Prison, Palayamkottai to Central Prison, Thiruvananthapuram on the ground that his family members are residing at Thiruvananthapuram and so as to his family members can visit him. However, the said request was rejected by the third respondent on the ground that when the appeal is pending as against the order of conviction, the prisoner is not entitled for transfer of prison as per Rule 572 of the Tamil Nadu Prison Act, 2024. The convict is entitled for transfer of prison only after disposal of the appeal. When the Rule does not permit for transfer of prison for the convict while pending the appeal. The third respondent rightly rejected the request of the petitioner and hence, there is no infirmity or illegality in the order passed by the third respondent.



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3. Accordingly, the writ petition is dismissed. Consequently, connected miscellaneous petition is closed.

[G.K.I., J.] [R.P., J.]

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To:

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- 4.The Superintendent,
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Thiruvananthapuram,
Kerala State-695 023.
5. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.



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G.K.ILANTHIRAIYAN, J.
and
R. POORNIMA, J.

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