



W.P(Crl)MD.No.1066 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2026

CORAM:

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

**W.P(Crl)MD.No.1066 of 2026
and
W.PMP(Crl)MD.Nos.278 & 280 of 2026**

Murugan

... Petitioner

Vs.

- 1.The State of Tamil Nadu represented by,
The Principal Secretary,
Home, Prohibition and Excise Department,
State of Tamil Nadu,
Fort St.George, Chennai – 600 009.
- 2.The Director General of Police/Director of Prisons
and Correctional Services,
C.M.D.A. Towers II,
No.1, Gandhi Irvin Road,
Egmore,
Chennai.



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3.The Deputy Inspector General of Prisons,
Madurai Range,
Madurai Central Prison Campus,
New Jail Road,
Madurai – 625 016.

4.The Superintendent of Prison,
Madurai Central Prison,
Madurai District – 625 016.

5.The Superintendent of Prison,
Open Air Prison,
Purasadaiudaippu,
Sivagangai District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records connected with the impugned G.O.(D).No.122 Home (Prison-IV) Department, dated 02.02.2026 and quash the same as illegal, consequently to direct the respondents to release the petitioner by name Murugan (CP No:0106, PID No.95) son of Ramar about 42 years now confining as convict prisoner in Open Air Prison, Purasadaiudaippu, Sivagangai District 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 or any other premature



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release scheme issued by the respondent No.1 in accordance with law within the time stipulated by this Court.

For Petitioner : Dr.R.Alagumani

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

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

This Writ Petition is directed as against the order passed by the first respondent in G.O.(D).No.122 Home (Prison-IV) Department, dated 02.02.2026, thereby rejecting the request made by the petitioner seeking premature release.

2.The petitioner is a life convict in S.C.No.61 of 2006 for the offence punishable under Section 302 of I.P.C, by Judgment dated 08.08.2008 on the file of the Principal District and Sessions Court, Ramanathapuram. The conviction was confirmed by this Court in Crl.A.(MD)No.388 of 2008 by Judgment dated 06.03.2012.



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Therefore, the petitioner has been undergoing imprisonment for more than 18 years.

3.While being so, the petitioner's father submitted a representation seeking the petitioner's premature release. However, the same was rejected by order dated 23.12.2024 on the file of the first respondent on the ground that a F.I.R in Crime No. 262 of 2014 was pending. Subsequently, the said F.I.R was quashed by this Court in Crl.O.P.(MD)No.3322 of 2025 by an order dated 28.03.2025. Thereafter, the petitioner once again submitted a representation seeking premature release. Since it was not considered, the petitioner filed a Writ Petition before this Court in W.P.(MD)No. 398 of 2025. By order dated 04.07.2025, this Court directed the first respondent to dispose of the representation in accordance with law within a period of twelve weeks from the date of receipt of a copy of that order. After the filing of the contempt petition, the first respondent rejected the petitioner's representation by order dated 02.02.2026.



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4.The learned counsel appearing for the petitioner submitted that the petitioner has been undergoing imprisonment for more than 18 years and has been granted leave from time to time as per the Tamil Nadu Prison Rules, 1983. His conduct during incarceration has been good. The co-accused in the case in which the petitioner was convicted were released even before completion of their sentences. Therefore, the petitioner is also entitled to the same relief as per Rule 341 of the Tamil Nadu Prison Rules, 1983, under the Advisory Board Scheme. Further, on the earlier occasion, the same request was rejected on the ground that the petitioner was facing prosecution in Crime No.262 of 2014 on the file of the Inspector of Police, Uchipuli Police Station. Now that the said case has been quashed by this Court and it pertained to a family dispute, the ground no longer survives. Moreover, the Probation Officer recommended the petitioner's case for premature release. Even then, the first respondent, without considering the above aspects, rejected the request for premature release.



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5.On the submissions made by the learned Additional Public Prosecutor appearing for the respondents and upon perusal of the records, it is seen that the petitioner was convicted for the offence punishable under Section 302 of the IPC and the same was confirmed by this Court in CrI.A.(MD) No.388 of 2008. While so, the petitioner's father submitted a representation seeking premature release of the petitioner.

6.The Collector, Ramanathapuram District, submitted his report dated 21.11.2024 and did not recommend the petitioner's premature release, based on the report of the Superintendent of Police, Ramanathapuram District, who objected to such release on the ground that the prisoner's life might be in danger from the victim's family members if he is released prematurely. Though the Probation Officer, Ramanathapuram, by his report dated 15.10.2024, recommended premature release of the petitioner as per Rule 350 of



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the Tamil Nadu Prison Rules, 2024, the State Level Committee convened a meeting and observed that the petitioner had murdered a woman by slitting her throat with a sickle due to a financial dispute. The act was premeditated and executed with extreme brutality, reflecting serious moral depravity and disregard for human life. Therefore, the possibility of retaliation or disturbance to public peace cannot be completely ruled out. The State Level Committee further observed that although the petitioner has displayed good conduct and signs of reformation, the offence committed by him was against a woman. Hence, the Committee did not recommend premature release under Rule 350 of the Tamil Nadu Prison Rules, 2024.

7.In view of the nature of the crime committed by the petitioner and the emotional sensitivity of the victim's family, there is a possibility of retaliation or disturbance to public peace. Further, the State Level Committee has not recommended premature release



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of the petitioner. Hence, this Court finds no infirmity or illegality in the order passed by the first respondent. The Writ Petition lacks merit and is liable to be dismissed.

8. Accordingly, this Writ Petition is dismissed.

Consequently, the connected Miscellaneous Petitions are closed.

**[G.K.I.J.,] & [R.P.J.,]
25.02.2026**

NCC : Yes/No
Index : Yes/No
ps



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