

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(Criminal) No.138/2024

BALASUBRAMANIAN

Petitioner(s)

VERSUS

STATE OF TAMIL NADU

Respondent(s)

(FOR ADMISSION and IA No.66056/2024-GRANT OF INTERIM RELIEF)

Date : 13-05-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) Mr. P.R.Kovilan Poongkuntran, Adv.
Mrs. Geetha Kovilan, AOR
Ms. Jubli Momalia, Adv.
Mrs. K Priya, Adv.

For Respondent(s) Mr. D.Kumanan, AOR
Mr. Sheikh F. Kalia, Adv.
Mrs. Deepa. S, Adv.
Mr. Veshal Tyagi, Adv.
Mr. Chinmay Anand Panigrahi, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Heard learned counsel appearing for the parties.

It is not in dispute that as of today, the petitioner has undergone incarceration for a period of more than 10 years. A co-convict has been granted benefit of the remission by order the dated 28th September, 2022. As of today, we find no difference in the case of the petitioner and the case of the co-convict covered by the order dated 28th September, 2022.

Therefore, we direct the State to consider the case of the petitioner for pre-mature release after taking into consideration the order dated 28th September, 2022 passed in favour of the co-convict.

The necessary order shall be passed by the State within a maximum period of four weeks from today.

The writ petition is, accordingly, disposed of.

Interim relief granted by this Court to continue for six weeks from today. The concerned authority of the State Government shall act upon a copy of this order furnished by the Standing Counsel for the State.

(KAVITA PAHUJA)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)

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Therefore, we direct the State to consider the case of the petitioner for pre-mature release after taking into consideration the order dated 28th September, 2022 passed in favour of the co-convict.

The necessary order shall be passed by the State within a maximum period of four months from today.

The writ petition is, accordingly, disposed of.

Interim relief granted by this Court to continue for six weeks from today. The concerned authority of the State Government shall act upon a copy of this order furnished by the Standing Counsel for the State.

(KAVITA PAHUJA)
COURT MASTER (SH)

(AVGV RAMU)
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