

SECTION II-C

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 18049/2019

(Arising out of impugned final judgment and order dated 31-01-2019 in HCP No. 2965/2018 passed by the High Court Of Judicature At Madras)

THE STATE REP. BY THE SECRETARY
TO GOVT. OF TAMIL NADU & ANR.

Petitioner (s)

VERSUS

BARIJAN

Respondent (s)

(FOR ADMISSION and I.R. and IA No.91498/2019-CONDONATION OF DELAY
IN FILING)

Date : 15-07-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR
HON'BLE MR. JUSTICE SANJIV KHANNA

For Petitioner(s) Mr. M. Yogesh Kanna, AOR
 Ms. Meha Aggarwal, Adv.
 Mr. S. Partha Sarathi, Adv.
 Mr. S. Raja Rajeshwaran, Adv.

For Respondent(s) Mr. Ratnakar Dash, Sr. Adv.
 Mr. G.Sivabalamurugan, AOR
 Mr. Vasantha Kumar, Adv.
 Mr. Vivek Bharthi, Adv.

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

Delay condoned.

Learned counsel for the State brings to the notice of the Court that the Convict Prisoner namely, Shahul Hameed (Convict No. 18818 housed in Central Prison, Puzhal-1, Chennai) has criminal antecedents and if he is released, there will be a law and order

problem in the society. The said submissions are opposed by the learned senior counsel appearing on behalf of the respondent.

Be that as it may, having regard to the fact that the Convict Prisoner is stated to be in custody for more than 21 years, we propose to release the Convict Prisoner namely, Shahul Hameed (Convict No. 18818 housed in Central Prison, Puzhal-1, Chennai) on parole for a period of two months to watch the conduct of the said Convict Prisoner in the society. In case, the said Convict Prisoner misbehaves during that period it is always open for the State to initiate action against the said Convict Prisoner. Ordered accordingly.

The conditions of parole be imposed by the Trial Court before releasing the Convict Prisoner namely, Shahul Hameed (Convict No. 18818 housed in Central Prison, Puzhal-1, Chennai) in consultation with the Director General of Police of the State.

Issue notice.

Objections of statement, if any, be filed by two months.

Post the matter after two months.

In the meantime, there shall be a stay of impugned order as an interim measure.

(ASHWANI KUMAR)
COURT MASTER (SH)

(R.S. NARAYANAN)
COURT MASTER (NSH)

ITEM NO.18

COURT NO.14

SECTION II-C

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

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For Respondent(s) Mr. Ratnakar Dash, Sr. Adv.
 Mr. G.Sivabalamurugan, AOR
 Mr. Vasantha Kumar, Adv.
 Mr. Vivek Bharthi, Adv.

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

Delay condoned.

Learned counsel for the State brings to the notice of the Court that the respondent has criminal antecedents and if he is released, there will be a law and order problem in the society. The said submissions are opposed by the learned senior counsel

appearing on behalf of the respondent.

Be that as it may, having regard to the fact that the respondent is stated to be in custody for more than 21 years, we propose to release the respondent on parole for a period of two months to watch the conduct of the respondent in the society. In case, the respondent misbehaves during that period it is always open for the State to initiate action against the respondent. Ordered accordingly.

The conditions of parole be imposed by the Trial Court before releasing the petitioner in consultation with the Director General of Police of the State.

Issue notice.

Objections of statement, if any, be filed by two months.

Post the matter after two months.

In the meantime, there shall be a stay of impugned order as an interim measure.

(ASHWANI KUMAR)
COURT MASTER (SH)

(R.S. NARAYANAN)
COURT MASTER (NSH)