

ITEM NO.5 Court 5 (Video Conferencing) SECTION X

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(s)(Civil) No(s). 1067/2021

DOLPHY

Petitioner(s)

VERSUS

THE STATE OF KERALA & ANR.

Respondent(s)

(FOR ADMISSION and IA No.122792/2021-EXEMPTION FROM FILING O.T.)

Date : 29-09-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE B.R. GAVAI

For Petitioner(s) Mr. S. Nagamuthu. Sr.Adv.
 Mr. Subash Chandran, Adv.
 Mr. Sayooj Mohandas. M, Adv.
 Mrs. Kavitha K.T, Adv.
 Mr. Sandeep Singh - AOR

For Respondent(s) Mr. G. Prakash, AOR
 Ms. Priyanka Prakash, Adv.
 Ms. Beena Prakash, Adv.

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

Mr. G. Prakash, learned counsel appearing for the State of Kerala submitted that the directions given for surrender of prisoners who were released by the State Government are not contrary to the order passed by this Court on 16.07.2021. According to him, the order dated 16.07.2021 governs such prisoners who have

been released on bail or parole pursuant to the recommendation of High Power Committee. He further submitted that the High Power Committee recommended release on parole of convicts, who were sentenced to imprisonment of less than ten years. The State Government on its own took a decision to grant parole to even those prisoners who have been convicted and sentenced to life imprisonment. He stated that the direction given by the Government for surrender of those prisoners, who have been released on parole applies to those who have been released by the State Government without reference to the recommendation of High Powered Committee.

Counter affidavit may be filed within a period of four weeks' along with additional documents, if any. In the meanwhile, the petitioner shall continue to remain on parole.

List after four weeks.

(BABITA PANDEY)
COURT MASTER (SH)

(ANAND PRAKASH)
BRANCH OFFICER