

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 166 OF 2020  
(Arising out of SLP (C) No.11226 of 2019)

STATE REP BY THE SECRETARY & ORS.

... Appellant(s)

VERSUS

KALIAMMAL

... Respondent(s)

O R D E R

Leave granted.

The question involved in this appeal, on merits, is covered by the judgment of this Court in the case of The Home Secretary (Prison) & Ors. vs. H. Nilofer Nisha [Criminal Appeal No(s).144 of 2020 decided on 23.01.2020]. In the said judgment, this Court held that the Habeas Corpus petition is not the remedy in favour of the respondent.

In view of the said decision, the impugned order stands quashed. The appeal is allowed.

It is brought to the notice of this Court that the respondent's son has already suffered imprisonment for about 16 years. It is also brought to the notice of this Court that he has already filed two application seeking the benefit of remission under the Remission Rules of the State. If such an application is pending consideration before the concerned authorities of the State

Government, the same shall be considered and decided as per Remission Rules of the State as early as possible but not later than the outer limit of three months from today.

....., J.  
(Mohan M. Shantanagoudar)

....., J.  
(R. Subhash Reddy)

New Delhi;  
January 24, 2020.

ITEM NO.39

COURT NO.12

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

Petition(s) for Special Leave to Appeal (CrI.) No(s). 11226/2019

(Arising out of impugned final judgment and order dated 25-01-2019 in HCP No. 1320/2018 passed by the High Court Of Judicature At Madras)

STATE REP BY THE SECRETARY & ORS.

Petitioner(s)

VERSUS

KALIAMMAL

Respondent(s)

(FOR ADMISSION and I.R. and IA No.178259/2019-CONDONATION OF DELAY IN FILING and IA No.178261/2019-EXEMPTION FROM FILING O.T. NW )

Date : 24-01-2020 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR  
HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Petitioner(s) Mr. V. Giri, Sr. Adv.  
Mr. M. Yogesh Kanna, AOR  
Mr. Karthik Rajendran, Adv.

For Respondent(s) Mr. T. Harish Kumar, AOR  
Mr. Navneet Dugar, Adv.

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

Leave granted.

The appeal is allowed in terms of the signed order.

Pending applications, if any, stand disposed of accordingly.

(GULSHAN KUMAR ARORA)  
COURT MASTER

(R.S. NARAYANAN)  
COURT MASTER

(Signed order is placed on the file)