



ITEM NO.37

COURT NO.5

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)(Criminal) No(s). 145/2024

KARUNA @ MANOHARAN

Petitioner(s)

VERSUS

UNION TERRITORY OF PUDUCHERRY & ORS.

Respondent(s)

(FOR ADMISSION)

WITH W.P.(Cr1.) No. 190/2024

(FOR ADMISSION and IA No.88392/2024-INTERIM BAIL and IA
No.88395/2024-EXEMPTION FROM FILING O.T. / CURING THE DEFECTS)

Date : 11-11-2024 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s)

Mr. V Chitambresh, Sr. Adv.
Mr. S. Rajappa, AOR
Mr. R Gowrishankar, Adv.
Ms. G Dhivyasri, Adv.

Mr. V Chitambaresh, Sr. Adv.
Mr. Ch Leela Sarveswar, Adv.
Mr. K Mohan, Adv.
Mr. Vijay Kumar, Adv.
Mr. R Ravi, Adv.
Mr. Mohit Yadav, Adv.
Mr. Chand Qureshi, AOR

For Respondent(s)

Mr. Aravindh S., AOR
Mr. Akshay Gupta, Adv.
Mr. Abbas B, Adv.
Ms. Tharanisre, Adv.

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

We have perused the order dated 27th August, 2024 passed by this Court in both the petitions as also the Minutes of the Meeting of the Sentence Review Board and, in particular, paragraphs dealing with Agenda Item Nos.10 and 7 concerning the petitioners. A specific direction of this Court was to reconsider the case of the present petitioners in the light of the order dated 25th January, 2024 passed by this Court in the case of a co-accused. Unfortunately, we find from the Minutes that there is no consideration of the order dated 25th January, 2024 passed by this Court. *Prima facie*, the Sentence Review Board owes an explanation to this Court for this contemptuous conduct.

We, therefore, direct the Inspector General of Prisons who is the Member Secretary of the Sentence Review Board to file an affidavit explaining the conduct.

The petitioner in Writ Petition (Criminal)No.145 of 2024 has undergone the actual incarceration for a period of 24 years and the petitioner in Writ Petition (Criminal)No.190 of 2024 has undergone the actual incarceration for a period of 20 years. Considering the *prima facie* non-compliance by the respondent-State with the order of this Court dated 27th August, 2024, we grant interim bail to the petitioners.

We direct that the petitioners shall be produced before the Court which convicted them within a period of one week from today. The concerned Court shall enlarge the petitioners on temporary bail on appropriate terms and conditions. The Public Prosecutor shall be heard before fixing the terms and conditions.

The affidavit, as directed above, to be filed on or before 6th January, 2025.

List on 10th January, 2025.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER