

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.11.2017

Coram

THE HON'BLE MR.JUSTICE RAJIV SHAKDHER
AND
THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

H.C.P.No.2169 of 2017

Ms.Alamelu

... Petitioner

Vs.

The State represented by :

1. The Additional Director General of Police,
(Head of the Prisons),
C.M.D.A. Towers,
Egmore, Chennai - 600 008.
2. The Superintendent,
Central Prison - I,
Puzhal, Chennai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing respondents to retain the petitioner's son Hari @ Harikrishnan (O.J.C.T.No.1100) permanently at Central Prison - I, Puzhal, Chennai, to secure the ends of justice.

For Petitioner : Mr.Sankarasubbu
for Mr.D.Mariojohnson

For Respondents : Mr.V.M.R.Rajentran
Additional Public Prosecutor

O R D E R

(Order of the Court was made by RAJIV SHAKDHER, J)

1. This is a petition to transfer the detinue/Mr.Hari @ Harikrishnan from Central Prison, Salem to Central Prison -I (Convict), Puzhal, Chennai.

2. Counter affidavit has been filed by the second respondent.

3. The petitioner's son, the detainee/Mr.Hari @ Harikrishnan is permanently confined to Salem Central Prison (Convict). His brother is also confined in Central Prison-I (Convict), Puzhal.

2. Mr.Sankarasubbu, learned counsel appearing on behalf of the petitioner, on the previous occasion said that, the detainee was briefly kept in Central Prison-I (Convict) Puzhal between 27.09.2015 to 10.09.2016.

3. Based on this circumstance, Mr.Sankarasubbu says that the detainee should be permanently retained at Central Prison-I (Convict), Puzhal .

4. For the moment, this request cannot be entertained and this has to go by the assessment of the concerned authorities, who are dealing with the custody of the detainee/Mr.Hari @ Harikrishnan

4.1) The assessment of authorities is that, there is a possibility of an incident happening, if, the petitioner's request is acceded to, as the victim's brothers are, currently, confined in the Central Prison_I, (Convict), Puzhal, Chennai.

6. In these circumstances, the petition is closed.

Sd/-
Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

ggs/vrc

To

1. The Additional Director General of Police,
(Head of the Prisons),
C.M.D.A. Towers,
Egmore, Chennai - 600 008.

2. The Superintendent,
Central Prison - I,
Puzhal, Chennai.

3. The Public Prosecutor,
High Court, Madras.

H.C.P.No.2169 of 2017

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nr 10/01/2018