

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:03.02.2017

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P.No.2499 of 2017

Annadurai

.. Petitioner/Father of
the detainee

.. Vs ..

1. The Superintendent of Police,
Central Prison,
Puzhal,
Chennai 600 006.

2. The Superintendent of Police,
Central Prison,
Vellore,
Vellore District.

3. The Inspector of Police,
Vadapalani Police Station,
Vadapalani
Chennai 600 026.

... Respondents

Prayer:- Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to direct the second respondent police, Central Prison, Vellore to provide Medical Treatment to the Detenue Vinoth Kumar, son of Annadurai, aged 33 years, now confined at Central Prison, Vellore to Rajiv Gandhi General Hospital, Chennai 600 003.

For Petitioner : Mr.R.Sankarasubbu

For Respondents: Mr.C.Emalias,
Addl.Public Prosecutor

ORDER

This petition is filed seeking a direction to the second respondent, Central Prison, Vellore to provide Medical Treatment to the petitioner's son viz., Vinoth Kumar.

2.According to the petitioner, his son by name Vinoth Kumar was illegally taken into custody near 100 feet road, Vadapalani on 23.01.2017 and he was thoroughly beaten by the third respondent and he sustained grievous injuries on his body. Thereafter, he was taken to XVII Metropolitan Magistrate, Saidapet for remand at about 11.00 p.m on

24.1.2017. The learned Magistrate after seeing the injury suffered by the petitioner's son refused to pass an order of remand, but advice the police to give medical treatment. Thereafter, the third respondent police has taken him to G.R.H. Royapettah and he was admitted as inpatient. There the third respondent managed to get a Medical Certificate for the petitioner as "Fit For Remand", again, he was produced before the learned XI Metropolitan Magistrate, Saidapet on 25.01.2017 and he was remanded to judicial custody and he was taken to Puzhal Prison on the same day (25.01.2017). Thereafter, he was shifted to Central Prison, Vellore. After shifting to Central Prison, Vellore, no proper treatment was given to Vinoth Kumar. In the similar circumstances, the similarly placed persons have filed Crl.O.P.No.1680 of 2017 before this Court and this Court passed an order on 30.01.2017 directing the police to instruct all the Medical Officers to provide proper and adequate treatment to the injured persons immediately without insisting any order from the Court or from any other authority. Hence, the present petition has been filed seeking a direction to provide proper medical treatment to the son of the petitioner.

3.Heard Mr.R.Sankarasubbu, learned counsel appearing for the petitioner and Mr.C.Emalias, learned Additional Public Prosecutor and perused the records.

4.The learned counsel for the petitioner has submitted that after shifting the petitioner to Central Prison, Vellore, no proper treatment was given and the son of the petitioner is in a bad condition and now the petitioner's son is at Central Prison, Vellore and he requires immediate treatment. Hence, he prays this Court to give a direction to provide necessary treatment to the son of the petitioner.

5.Per contra, Mr.C.Emalias, learned Additional Public Prosecutor submitted that after shifting the petitioner to the Central Prison, Vellore, the jail authorities have given proper treatment to the son of the petitioner. He further submitted that the respondents are always willing to give a proper treatment to the petitioner's son if so requires.

6.In view of the above said circumstances, the Superintendent of Central Prison, Vellore is directed to send the petitioner's son Vinoth Kumar to the Government Rajiv Gandhi General Hospital, Chennai for further treatment immediately. The Dean, Government Rajiv Gandhi General Hospital, Chennai is directed to give a direction to the doctor concerned to examine the said Vinoth Kumar and give required treatment to him immediately.

7. With the above observation, the Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

cla
To

1. The Superintendent of Police,
Central Prison,
Puzhal,
Chennai 600 066.
2. The Superintendent of Police,
Central Prison,
Vellore,
Vellore District.
3. The Inspector of Police (L&O),
Vadapalani Police Station,
Vadapalani
Chennai 600 026.
4. The Public Prosecutor,
High Court, Madras.

Copy to: The Dean,
Government Rajiv Gandhi General Hospital,
Chennai.

+ 1 cc to M/s. R. Sankara Subbu, Advocate Sr.7070

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CA(CO)
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