



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.01.2017

CORAM:

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**THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

H.C.P. (MD) No.70 of 2017

M.Alagu Devi : Petitioner

Vs.

1.State of Tamil Nadu,
Rep. by the Principal Secretary to Government,
Home (Prison V) Department,
Secretariat,
Fort St. George,
Chennai-600 009.

2.The Additional Director General of Prison,
Egmore, Chennai-600 008.

3.The Superintendent,
Central Prison,
Trichy.

4.The Inspector of Police,
"Q" Branch CID,
Karur, (Crime No.1 of 2016).

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the respondents 1 to 3 to produce the body and the person of the detenu, namely A.Murugan, S/o.Ayyanann, aged 42, now confined at Central Prison, Trichy as remand prisoner in solitary confinement and set him at liberty by releasing him and consequently, pay compensation for his solitary confinement.

For Petitioner

: Mr.T.Lajapathi Roy

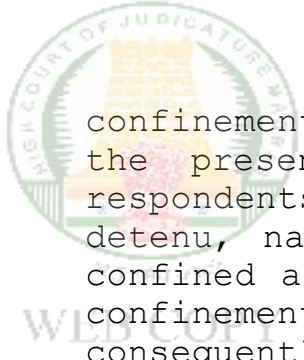
For Respondents

: Mr.K.S.Duraipandian,

Additional Public Prosecutor

ORDER

The petitioner, who is the wife of the detenu-Murugan, has filed the present Habeas Corpus Petition mainly on the ground that the Prison Authorities had lodged her husband in solitary



confinement, which is illegal, and hence, she has come up with the present petition seeking for a direction, directing the respondents 1 to 3 to produce the body and the person of the detenu, namely A.Murugan, S/o.Ayyanann, aged about 42 years, now confined at Central Prison, Trichy as remand prisoner in solitary confinement and set him at liberty by releasing him and consequently, pay compensation for his solitary confinement.

2. When the matter was taken up for consideration today, the third respondent filed a counter-affidavit, wherein at paragraph No.4, it has been held as follows:

"It is submitted that the husband of the petitioner namely Remand Prisoner No.88 Murugan, S/o.Sendu @ Ayyanar @ Ayyanan has been confined in High Security Block-III along with other Remand Prisoners. It is further submitted that the above prisoner has not been lodged in solitary confinement as stated by the petitioner. The petitioner's representation dated 12.01.2017 was received in this office on 13.01.2017."

3. Therefore, recording the statement made in the counter-affidavit filed by the third respondent that the husband of the petitioner has not been lodged in solitary confinement, we close the Habeas Corpus Petition as nothing survives for adjudication.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1.The Principal Secretary to Government,
State of Tamil Nadu,
Home (Prison V) Department,
Secretariat,
Fort St. George,
Chennai-600 009.

2.The Additional Director General of Prison,
Egmore, Chennai-600 008.

3.The Superintendent,
Central Prison,
Trichy.

<https://hccourtservice.courtservice.org/>
4.The Inspector General of Police,
"Q" Branch CID,
Karur, (Crime No.1 of 2016).



5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.LAJAPATHYROY, Advocate, SR No. 3312/17

SML

PSM/RR-BS-SAR1/02.02.2017/3P/7C

Order made in
H.C.P.(MD)No.70 of 2017
Dated: 19.01.2017