



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.06.2017**

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN
H.C.P.[MD].No.877 of 2017

Manjula : Petitioner

Vs.

- 1.The Secretary to Government,
Home Department,
Fort, St.George,
Chennai-9.
 - 2.The Director General of Police,
Beach Road,
Mylapore, Chennai-4.
 - 3.The Additional Inspector General of Police, (Prison),
CMDA Tower II,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.
 - 4.The Superintendent,
Central Prison,
Trichy.
- : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the 4th respondent to produce the detainee Neelamegam (R.P.No.3395) before this Hon'ble Court, and consequently directing the learned Principal District Judge, Trichy to hold an enquiry into the brutal assault on the detainee Neelamegam (aged 32) and to punish the erred prison constables.

For Petitioner : Mr.A.Jeyaramachandran

For Respondents : Mr.T.Mohan
Additional Public Prosecutor

O R D E R

[Order of the Court was made by T.S.SIVAGNANAM, J.]

Heard the learned counsel for the petitioner and the learned
Additional Public Prosecutor appearing for the respondents 1 and



2. Pursuant to the direction issued by us, on 20.06.2017, Mrs. Nigila Nagendran, the Superintendent of Central Prison, Trichy, appeared before us and submitted the counter affidavit as well as a copy of relevant Rules, a copy of Jailor Report Book, a copy of the report of the Assistant Surgeon and a copy of the proceedings of prison. Thus, we find that the detenu has been taken care of properly and there is no violation of the procedures, contemplated in the Tamil Nadu Prison Manual. The problem arose when the mother of the detenu wanted to see the detenu and wanted to hand over a book, which was not immediately given to the detenu, as the book had to be screened by the Additional Superintendent of Central Prison, Trichy.

3. The Additional Superintendent of Central Prison, Trichy, who appeared before us, stated that the detenu wanted the book to be given to him immediately, without being screened. The book was produced before us and we find that it is some sort of poetry, though the cover contains a photograph of a lady. *Prima facie*, we find that there is no objectionable material in the book nor the publication of the book had been banned. Therefore, we directed the Superintendent of Central Prison, to give the book to the detenu. Thus, we find that there is no illegal detention of the detenu. Accordingly, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (CS-I)

/ True Copy /

Sub Assistant Registrar (C.S.)

To

1. The Secretary to Government,
Home Department, Fort, St. George, Chennai-9.
 2. The Director General of Police,
Beach Road, Mylapore, Chennai-4.
 3. The Additional Inspector General of Police, (Prison),
CMDA Tower II,
No.1, Gandhi Irwin Road, Egmore, Chennai-600 008.
 4. The Superintendent, Central Prison, Trichy.
- +1cc to M/S. JEYA RAMACHANDRAN, Advocate SR.No.62025

NB

MAS/MR-KKR/SAR2:06.07.2017:2P-6C

ORDER MADE IN
H.C.P. [MD]. No.877 of 2017