

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 06.07.2018

CORAM

THE HONOURABLE DR. JUSTICE S.VIMALA
AND
THE HONOURABLE MRS. JUSTICE S.RAMATHILAGAM

H.C.P. NO. 1290 OF 2018

R.Nandhini

.. Petitioner

- Vs -

1. The State of Tamil Nadu
rep. by its Secretary
Home, Prohibition & Excise Dept.
Fort St. George, Chennai - 9.
 2. The Addl. Director General of Police (Prison)
Egmore, Chennai - 8.
 3. The Superintendent of Prison
Cuddalore Central Prison
Cuddalore 607 004.
- .. Respondents

- Petition filed for the issuance of a writ of habeas corpus
- i) directing the 3rd respondent herein to produce the petitioner's husband Mr.Ayyar @ Rajasekar, remand prisoner, aged about 33 years, confined in Central Prison, Cuddalore, before this Hon'ble Court and set her at liberty forthwith and provide immediate medical treatment in the Government General Hospital, Cuddalore;
 - ii) Directing the 2nd and 3rd respondents to take appropriate criminal and disciplinary action against the police officials and police persons who had assaulted the petitioner's husband, Mr.Ayyar @ Rajasekar, remand prisoner, aged about 33 years, confined in Central Prison, Cuddalore; and
 - iii) directing conduct of judicial enquiry and file report before this Hon'ble Court.

For Petitioner : Mr. R.Chakravarthy

For Respondents: Mr. R.Prathap Kumar,
Additional Public Prosecutor

ORDER

(DELIVERED BY DR. S.VIMALA, J.)

The present habeas corpus petition has been preferred by the petitioner for a direction to the respondents to provide immediate medical treatment to the detenu, Ayyar @ Rajasekar, who is remand prisoner, aged 33 years, in the Government General Hospital, Cuddalore.

2. Though other prayers are made, however at the time of hearing, learned counsel for the petitioner confined his relief to the first part, viz., providing medical treatment to the detenu and, therefore, this Court is not venturing into the other reliefs sought for.

3. Considering the nature of allegations made in the affidavit, this Court directed the detenu to be produced before this Court. Accordingly, the detenu was produced before the Court. On enquiry, the detenu submits that he requires medical treatment. Further, a perusal of the supporting affidavit reveals that on 28.6.18, in Central Prison, Cuddalore, one police officer by name Prasanth, along with other officers caused hurt to the petitioner's husband and that the detenu has suffered grievous injuries all over the body in addition to injuries on the head.

4. Be that as it may. In view of the limited relief sought for, this Court directs the respondents to provide necessary medical treatment to the detenu at the Government General Hospital, Cuddalore.

5. Further, considering the submissions advanced on either side in addition to the enquiry made by this Court of the detenu and the respondents, this Court is of the considered opinion that it would be prudent to transfer the detenu to some other prison so as to avoid any further problems. In such view of the matter, the detenu is directed to be shifted to Central Prison, Salem from Central Prison, Cuddalore, after necessary treatment is given to the detenu.

6. With the above observations and directions, this habeas corpus petition is closed.

Sd/--

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

GLN

To

1. The Secretary to Government
Government of Tamil Nadu
Home, Prohibition & Excise Dept.
Fort St. George, Chennai - 9.
2. The Addl. Director General of Police (Prison)
Egmore, Chennai - 8.
3. The Superintendent of Prison
Cuddalore Central Prison
Cuddalore 607 004.

+1cc to Mr.R.Chakkaravarthy, Advocate sR.No.44507

CNR(CO)
sm:20.7.2018

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