

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :20.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.3749 of 2018

D.Gabriel

.. Petitioner

Vs.

1.The State rep. by its
The Secretary to Govt. of Tamil Nadu,
Department of Home,
Fort St. George,
Chennai - 600 009.

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

3.The Superintendent,
Central Prison,
Puzhal-1,
Chennai.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the respondents to permit the petitioner to admit him in the private hospital, especially at Rajan Dental Hospital at Mylapore, Chennai, for implantation of teeth.

For Petitioner : Mr.K.M.Subrahmaniam

For Respondents: Mrs.P.Karthikakamal,
Government Advocate (Crl. side)

O R D E R

The petitioner seeks for permission to admit him in the private hospital for implantation of his teeth.

2. Today when the matter was called, learned Government Advocate (crl. side) had produced a letter dated 19.02.2018 from the Civil Assistant Surgeon, Central Prison- I, Puzhal, Chennai - 600066 wherein it is opined by the doctor that the petitioner is in requirement of dental procedure. In view of the opinion of the doctor, the petitioner's request to admit for the dental procedure at the private hospital needs to be considered.

3. In the result, the Criminal Original Petition stands allowed with the following directions:

(a). The third respondent shall permit the petitioner namely D.Gabriel (life time convict No. 4903) to be produced before the Rajan Dental Hospital, Mylapore, Chennai for the dental procedure to be conducted on him on 22.02.2018.

(b) The third respondent shall provide sufficient escort as may be required and the cost of the escort shall be borne by the petitioner.

(c) The entire expenses of the dental procedure shall also be borne by the petitioner herein.

(d) The third respondent shall permit one family member of the petitioner to assist him during the entire stay of the petitioner at the hospital.

(e) As soon as the dental procedure is completed and after obtaining opinion from the doctor, the petitioner shall be discharged and the third respondent shall ensure that the petitioner is escorted back to the prison.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

nl
To

1. The Secretary to Govt. of Tamil Nadu,
Department of Home,
Fort St. George,
Chennai - 600 009.

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

3. The Superintendent,
Central Prison,
Puzhal-1, Chennai.

4. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.K.M.Subramanian, Advocate SR.no.12779

KAN(CO)
sm:21.2.2018