

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 15.02.2018
CORAM
THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.25809 of 2013
and
M.P.Nos.1 to 4 of 2013
...Petitioner

Suganya

Versus

- 1.The Superintendent of Prison,
Central Prison,
Kalapet,
Pondicherry.
 - 2.The Deputy Inspector General of Prison,
Pondicherry,
UT of Pondy.
 - 3.The Inspector General of Police,
Pondicherry,
UT of Pondy.
 - 4.The Secretary to the Union Territory
of Poindicherry, Home Department,
Pondicherry, UT of Pondy.
 - 5.The Chief Secretary to the Union
Territory of Pondicherry,
Pondicherry,
UT of Pondy.
 - 6.The Regional Director,
Central Bureau of Investigation,
Southern Region,
Chennai.
- ... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents to provide protection to the life of the under trial prisoner (Manibalan H/o.the petitioner) in Cr.No.90/2013 on the file Yanam Police.

For Petitioner : Mr.G.Mohanakrishnan

For Respondents : Mr.A.S.Baradhi
Government Advocate (Pondicherry)

O R D E R

This Writ Petition has been filed seeking for a direction to the respondents to provide protection to the life of the under trial prisoner (Manibalan H/o. the petitioner) in Crime No.90 of 2013 on the file of Yanam Police Station.

2. The case of the petitioner is that her husband Mr.Manibalan, was falsely implicated in Crime No.90 of 2013 by the Inspector of Police, Yanam Police Station, for the alleged offence under Sections 147, 450, 449, 332, 342 r/w.149 of IPC. She reliably learnt that her husband and the other accused in Crime No.90 of 2013 were severely assaulted by the Police and the prison authorities on 30.08.2013. On 02.09.2013 she was not permitted to visit her husband. It is further stated that apprehending a threat to the life of the accused in Crime No.90 of 2013, in this regard, she gave a representation seeking Police protection, since it was not attended to the present Writ Petition.

3. Heard, Mr.G.Mohanakrishnan, learned counsel appearing for the petitioner and Mr.A.S.Baradhi, learned Government Advocate (Pondicherry) appearing for the respondents and perused the material documents available on record.

4. The learned counsel for the petitioner submitted that the under trial prisoners Manibalan was admitted to Central Prison, Pondicherry for his involvement in Crime No.90 of 2013 and he was granted bail on 03.01.2014. However, he was not released due to the detention order passed against him and after expiry one year, he was released from Jail.

5. The learned Government Advocate appearing for the respondents would further submit that, there is no material placed by the petitioner for threat to the life of the petitioner's husband and if the petitioner gives a proper representation, that will be considered by the respondents.

6. In the light of the above submission made by the learned counsels on either side, this Court is of the opinion that no further adjudication is necessary in this writ petition and recording the submission of the learned Government Advocate, this Writ Petition stands closed. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

dna/ms
To

- 1.The Superintendent of Prison,
Central Prison,
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Pondicherry.
- 2.The Deputy Inspector General of Prison,
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- 3.The Inspector General of Police,
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- 5.The Chief Secretary to the Union
Territory of Pondicherry,
Pondicherry,
UT of Pondy.

- 6.The Regional Director,
Central Bureau of Investigation,
Southern Region, Chennai.

+1 cc to Mr.G.Mohanakrishnan Advocate sr 12227

+1 cc to the Govt Pleader puducherry High Court sr 11829

W.P.No.25809 of 2013

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aa23/03/2018