

IN THE HIGH COURT OF JUDICATURE AT MADRAS
Dated : 27.12.2018

CORAM:

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN
AND
THE HONOURABLE Ms. JUSTICE P.T.ASHA

HCP No. 2941 of 2018

Vivekanandan

..Petitioner

Vs

The Superintendent of Central Prison,
Womens,
Puzhal,
Chennai - 600 066

..Respondent

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Habeas Corpus to direct the respondent to permit the detainee Sathiya Mary @ Padma, wife of Vivekanandan, now confined at Central Prison (Women), Puzhal, Chennai, to admit the detainee in Multi Specialty Hospital, Omaandurar Estate, Chennai - 600 002 to save the detainee's life.

For Petitioner : Mr. R. Sankarasubbu

For Respondent : Mr.C.Raghavan,
Government Advocate (Criminal Side)

O R D E R

(Order of the Court was made by S.VAIDYANATHAN, J.)

This petition has been filed by the petitioner, who is the husband of the detainee, seeking direction to the respondents to admit the detainee/accused, viz., Sathiya Mary @ Padma, in Multi Specialty Hospital, Omandurar Estate, Chennai - 600 002 for chronic heart ailment known as SVT.

2. It is alleged that the petitioner's wife Sathiya Mary @ Padma was falsely implicated for an offence under Section 4 of POTA Act and Section 120-B IPC and she was enlarged on bail. However, due to ill-health, she could not attend the POTA Court, Chennai. The Principal Sessions Judge, POTA Court, Poonamallee at Chennai, issued Non-bailable Warrant and she surrendered before the Trial Court on 07.12.2018 in Spl.C.C.No.5 of 2003 on the file of Special Court for POTA, Poonamallee, Chennai.

3. Though the respondent is ready to provide treatment in the prison hospital, it is the claim of the petitioner that the accused/detenué, Sathiya Mary @ Padma, must be given treatment at Multi Specialty Hospital, Omandurar Estate, Chennai.

4. The learned counsel appearing for the petitioner would further submit that the petitioner is prepared to bear the cost of treatment, apart from the cost of the security, and therefore, his wife be permitted to take treatment.

5. The learned Government Advocate (Criminal Side) submits that he has no objection for the submission made by the learned counsel for the petitioner and the detenué would be provided continuous treatment at Multi Specialty Hospital, Omandurar Estate, Chennai.

6. Recording the said submission made by the learned Government Advocate (Criminal Side), we direct the respondent to admit the accused/Sathiya Mary @ Padma in Multi Specialty Hospital, Omandurar Estate, Chennai, for further treatment. We make it clear that the petitioner shall bear the cost of treatment, if any, and the cost of security, as undertaken.

7. With the above observations, this petition is disposed of.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

nvsri/ssm

To

1.The Superintendent of Central Prison Womens,
Puzhal, Chennai - 600 066.

2.The Principal Sessions Judge,
POTA Court,
Poonamallee,
Chennai.

3.Special Court for POTA,
Poonamallee, Chennai.

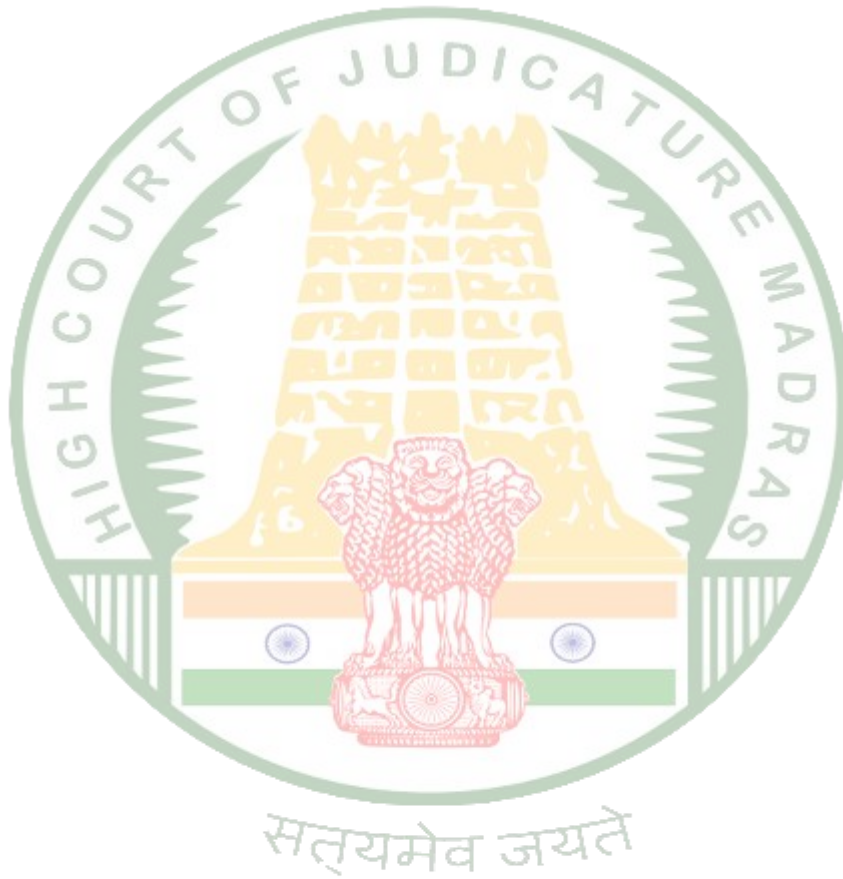
4.The Dean,
Multispeciality Hospital,
Omandurar Estate,
Chennai.

5.The Public Prosecutor,
High Court,
Madras - 104.

+1cc to Mr.R.Sankarasubbu, Advocate, S.R.No.90083

HCP No. 2941 of 2018

rrs 03/01/2019



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