

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice M.NIRMAL KUMAR

H.C.P.No.1489 of 2019

N.Lavanya

.. Petitioner

Vs.

1. State Represented by its
Home Secretary to the Govt. Of Tamil Nadu,
St.George Fort,
Chennai - 600 009.
2. The Director General of Police,
No.01, Dr.Radha Krishnan Salai,
Mylapore,
Chennai.
3. The Commissioner of Police,
Chennai City,
No.132, Commissioner Office Building,
E.V.K.Sampath Salai,
Vepery,
Chennai.
4. The Superintendent,
Central Puzhal Prison-II,
Puzhal.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus, permit the detenu Y.Nagoor Meeran, son of Yusuf to admit in any private hospital for further treatment for the fracture and to ensure the ends of justice.

For Petitioner .. Mr.R.Karthik

For Respondents .. Mr.C.Iyyappa Raj
Additional Public Prosecutor

ORDER

(Order of the Court was delivered by M.M.SUNDRESH, J.)

The petitioner claims to be the fiancée of the convict. Seeking a direction to the respondents to admit the convict in any of the private hospitals for further treatment for the fracture suffered by him.

2. When the matter is taken up for hearing, the learned Additional Public Prosecutor produced the following communication sent by the Joint Director of Medical and Rural Health Services and Family Welfare, Cuddalore District to the Superintendent, Central Prison, Cuddalore District wherein it is stated as under:-

'I am furnishing the treatment particulars in respect of prisoner Thiru.Nagoormeeran (8801), S/o. Yusuf, I.P.No.37312, Central Prisoner Cuddalore who was admitted on 22.07.2019 in Ortho ward at Govt. Head Quarters Hospital, Cuddalore.

Surgery is planned to Thiru.Nagoormeeran who sustained # Both bone forearm Left distal 3rd. Relevant Investigations. Patients was previously diagnoses with Hepatitis C infection Medical. Gastroenterologist opinion. Patients is still under treatment and waiting for fitness for surgery.

3. Based on the above, the learned Additional Public Prosecutor submitted that the convict is suffering from Hepatitis being apart from being HIV patient. For the above, he is getting treatment from Stanley Government Hospital, Chennai. For the fracture suffered by the convict, treatment would given after Hepatitis B is brought under control.

4. Recording the above statement, we are inclined to dismiss this petition, however, making it clear that as and when the convict is fit for surgery and the same is required, it should be done by the hospital authorities.

5. In the result, this Habeas Corpus Petition is dismissed with the above directions.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To:

1. The Home Secretary
Government of Tamil Nadu
St.George Fort,
Chennai - 600 009.
2. The Director General of Police,
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E.V.K.Sampath Salai,
Vepery,
Chennai.
4. The Superintendent,
Central Puzhal Prison-II,
Puzhal.
5. The Joint Secretary to Government,
Public (Law and Order) Department,
Secretariat, Fort St. George,
Chennai 600009.
6. The Public Prosecutor,
High Court of Madras,

AKM/17.09.19/3P-7C /

सत्यमेव जयते

H.C.P.No.1489 of 2019

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