

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2019

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

H.C.P.No.1748 of 2019

Subash Chandra Kapoor
S/o.Parshotham Ram Kapoor

... Petitioner

Vs

1. The Inspector General of Police (Prisons)
CMDA Tower-II, No.1,
Gandhi Irwin Road,
Egmore,
Chennai 600 008.
2. The Superintendent,
Central Prison,
Puzhal 600 066.
3. The Superintendent
Central Prison,
Trichy.

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the respondent herein to produce the detainee Subash Chandra Kapoor, Son of Parshotham Ram Kapoor, aged 66 years, presently confined in Central Prison, Trichy and permit him to take treatment for his heart ailment by way of doing angiogram at Appollo Hospital or any other reputed private hospitals, Chennai at the cost of the petitioner.

For Petitioner : M/s.S.Kingston Jerold

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

O R D E R

[Order of this Court was made by R.SUBBIAH, J]

This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus directing the respondent herein to produce the detainee Subash Chandra Kapoor, Son of Parshotham Ram Kapoor,

aged 66 years, presently confined in Central Prison, Trichy and permit him to take treatment for his heart ailment by way of doing angiogram at Appollo Hospital or any other reputed private hospitals, Chennai at the cost of the petitioner.

2. The learned counsel for the petitioner submitted that the petitioner/Subash Chandra Kapoor, 66 years, now presently confined in Central Prison, Trichy, has been suffering from heart ailment. Though the respondents herein provided him medication at Government Hospitals for his heart ailment, he is not willing to take treatment at Government Hospitals and that he wanted to take treatment in private hospital at his own costs. Hence, the present Habeas Corpus Petition has been filed.

3. The learned Additional Public Prosecutor appearing for the respondents submitted that the prisoner was referred to Cardiologist at Mahatma Gandhi Memorial Government General Hospital, Trichy and Stanley, Government Hospital, Chennai. The prisoner was advised for Angiogram test by the Cardiologist, but he is not willing for Angiogram test as Government Hospitals. He further submitted that the respondents are ready to give treatment at Stanley Government Hospital, Chennai. Hence he prayed for dismissal of the prayer sought for by the petitioner.

4. Taking into consideration the submission made by the learned Additional Public Prosecutor that the respondents are ready to give treatment at Stanley Government Hospital, Chennai, we are not inclined to grant the relief sought for by the petitioner. Accordingly, the Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar (Insp.cell)

//True copy// सत्यमेव जयते

Sub Assistant Registrar

dpq

To

1. The Inspector General of Police (Prisons)
CMDA Tower-II, No.1,
Gandhi Irwin Road,
Egmore,
Chennai 600 008.
2. The Superintendent,
Central Prison,
Puzhal 600 066.

3. The Superintendent
Central Prison,
Trichy.

4. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.S.Kingston Jerold, Advocate SR.No.105367

H.C.P.No.1748 of 2019

RP (CO)
GMY (29/01/2020)



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