

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.05.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

H.C.P.No.743 of 2020

R. Maragatham (aged 42),  
W/o. Radhakrishnan,  
No.7/1, Balaji Nagar,  
Hosur, Krishnagiri District. ...Petitioner

Vs.

1. The State of Tamil Nadu,  
rep. by the Secretary to Government,  
Home Department, Secretariat,  
Chennai - 600 009.
2. The Superintendent of Prison,  
Central Prison,  
Salem. ...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Habeas Corpus, directing the respondents to consider the representation of the petitioner dated 09.05.2020 and admit the petitioner's husband namely, Radhakrishnan S/o. Velu Kutty, aged about 48 years, remand prisoner, Central Prison, Salem to the Mohan Kumaramangalam Government General Hospital, Salem for proper timely medical treatment.

For Petitioner :: Mr.P. Pugalenthir

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

O R D E R

(Order of the Court was made by N. KIRUBAKARAN,J.)

The matter is heard through video-conferencing.

2. Admit.

3. Mr.R. Prathap Kumar, learned Additional Public Prosecutor takes notice on behalf of the respondents.

4. The present Habeas Corpus Petition has been filed seeking a direction to the respondents to consider the representation of the petitioner dated 09.05.2020 and admit the petitioner's husband namely Radhakrishnan, S/o. Velu Kutty, aged about 48 years, remand prisoner, Central Prison, Salem to the Mohan Kumaramangalam Government General Hospital, Salem for proper timely medical treatment.

5. Mr.P. Pugalenth, learned counsel appearing on behalf of petitioner would submit that the petitioner's husband has been illegally detained by the Police and during the course of illegal detention, he was badly assaulted with iron rod. Thereafter, the petitioner filed HCP No. 555 of 2020 and pursuant to the direction given by this Court, the petitioner's husband was admitted in Mohan Kumaramangalam Government General Hospital, Salem and an operation is said to have been conducted on the petitioner's husband. While so, on 28.03.2020 the detenu was discharged from the hospital and lodged in the Central Prison. In those circumstances, on 09.05.2020 the petitioner has given a representation to release her husband so as to admit the detenu in Mohan Kumaramangalam Government General Hospital, Salem.

6. The learned Additional Public Prosecutor denies the allegation that the Police has assaulted the detenu during police enquiry and would submit that the detenu has been given treatment regularly and even if anything more is required, the authorities would undertake to give such treatment.

7. Recording the undertaking given by the learned Additional Public Prosecutor, this Habeas Corpus Petition is disposed of.

सत्यमेव जयते

Sd/-

Assistant Registrar

//True Copy//

WEB COPY

Sub Assistant Registrar

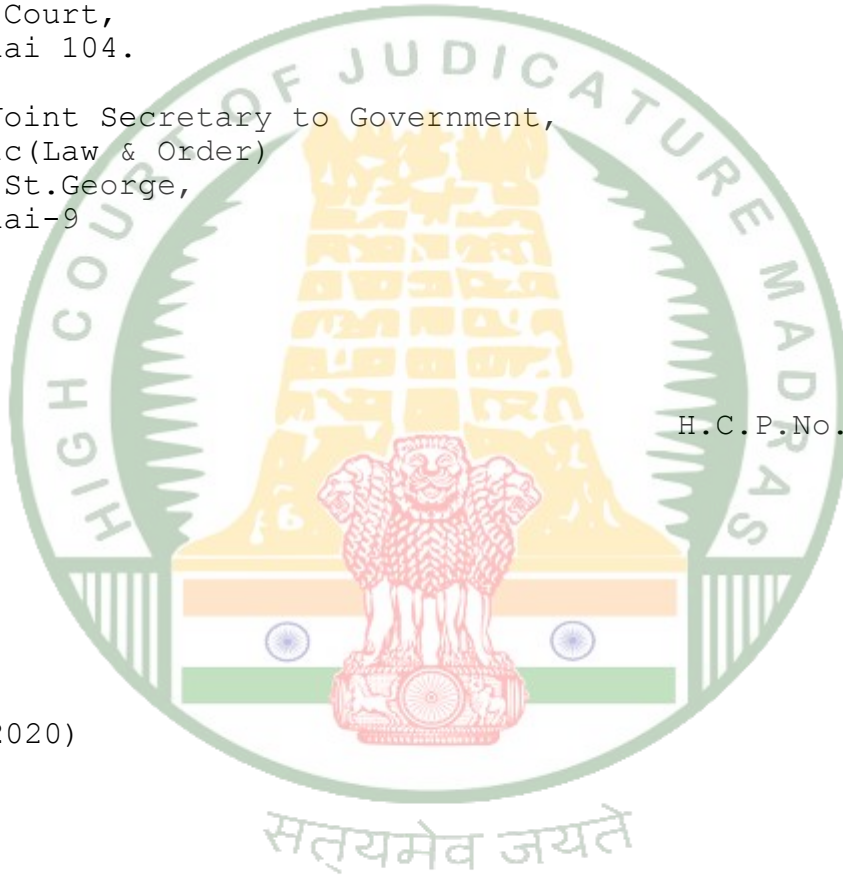
sai

To

1. The State of Tamil Nadu,  
rep. by the Secretary to Government,  
Home Department, Secretariat,  
Chennai - 600 009.
2. The Superintendent of Prison,  
Central Prison,  
Salem.
3. The Public Prosecutor,  
High Court,  
Chennai 104.
4. The Joint Secretary to Government,  
Public(Law & Order)  
Fort St.George,  
Chennai-9

H.C.P.No.743 of 2020

MP (CO)  
GS (17/07/2020)



WEB COPY