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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2021

Coram

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MRS. JUSTICE R.HEMALATHA

H.C.P.No.1991 of 2018
and
Crl.M.P.Nos.4727 and 4728 of 2020

D.Ramya
W/o.Dhanakanthan

...Petitioner

Vs.

1. The State of Tamil Nadu
represented by its Secretary,
Home Department,
Fort St.George,
Chennai - 600 009.

2. The Additional Director General of Police (Prison),
Egmore, Chennai - 600 008.

3. The Superintendent of Prison,
Cuddalore Central Prison,
Cuddalore - 607 004.

...Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the third respondent herein to produce the petitioner's husband Dhanakanthan, convict prisoner (CT No.15248), aged about 40 years, confined at Central Prison, Cuddalore, before this Court and set him at liberty forthwith and directing the respondents 2 and 3 to transfer petitioner's husband namely Mr.Dhanakanthan convict prisoner (CT.No.15248) aged about 40 years from Central Prison, Cuddalore to Central Prison, Puzhal.

For Petitioner : Mr.R.Lingakumar

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor



O R D E R

[Order of the Court was made by P.N.PRAKASH, J]

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This petition has been filed seeking issuance of a Writ of Habeas Corpus directing the third respondent herein to produce the petitioner's husband Dhanakanthan, convict prisoner (CT No.15248), aged about 40 years, confined at Central Prison, Cuddalore, before this Court and set him at liberty forthwith and directing the respondents 2 and 3 to transfer petitioner's husband from Central Prison, Cuddalore to Central Prison, Puzhal.

2. Pursuant to the order dated 18.08.2020, the learned Principal District Judge, Cuddalore, conducted an enquiry and submitted a report dated 07.09.2020 wherein it is stated as follows:

'I am to further submit that the doctor on duty exhausted all his attempts to give proper medical treatment to the Convict Prisoner Dhanakanthan for the injuries found on his body, but unfortunately the doctor found the individual Convict Prisoner Dhanakanthan failed to extend his co-operation for the medical treatment. Per contra the version of the Convict Prisoner Dhanakanthan about the failure of the Jail Authorities to give proper medical treatment is unsustainable. The Medical Report disclose that the Convict Prisoner Dhanakanthan was referred to the Jail Doctor for medical treatment.

I am further to submit that there are conflicting versions by the Convict Prisoners Dhanakanthan, Mansoor and Jawahar about the nature of incidents and place of occurrence which alleged to have been taken place. But the statement of the Superintendent, reveals that the Convict Prisoner Dhanakanthan sustained self-inflicting injuries, on the alleged occurrence date, when he made attempt to enter into the High Security Block No.I of the prison.'

3. In view of the above, we accept the report of the learned Principal District Judge, Cuddalore, and close the present petition as no further orders require to be passed in this petition.



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Accordingly, this Habeas Corpus Petition is closed.
Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

gm

To

1. The Secretary,
Home Department,
Fort St.George, Chennai - 600 009.
2. The Additional Director General of Police (Prison),
Egmore, Chennai - 600 008.
3. The Superintendent of Prison,
Cuddalore Central Prison,
Cuddalore - 607 004.
4. The Public Prosecutor,
High Court, Madras.

H.C.P.No.1991 of 2018

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NSK 29/11/2021