



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Eighth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

and

The Hon`ble Mr Justice A.A. NAKKIRAN

CRIMINAL MISCELLANEOUS PETITION No.3488 of 2022

IN CRL A.523/2021

G.KANTHAVEL

[PETITIONER]

Vs

STATE REP.BY
DEPUTY SUPERINTENDENT OF POLICE,
CENTRAL BUREAU OF INVESTIGATION,
CBI/SCB/CHENNAI
RC.3(S) 2004/CBI/SCB, CHENNAI

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to pass an order of direction directing the jail authority to shift the petitioner namely Kandhavel s/o. Govindasamay from Stanley Government Hospital, Chennai to Omanthurar Government Multi Super Speciality Hospital, Government Estate, Chennai -600 002 for medical treatment forthwith.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S. K.BALU, Advocate for the petitioner and of M/S K.SRINIVASAN, SPECIAL PUBLIC PROSECUTOR FOR CBI CASES M/S R.MUNIYAPPARAJ,GOVT.ADVOCATE (CRL.SIDE)for Assisting this court and on behalf of the Respondent the court made the following order:-

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

The petitioner, who has been convicted and sentenced in S.C.No.3 of 2019 on 24.09.2021, developed certain complications in his health while he was undergoing sentence in the Central Prison, Cuddalore. Therefore, he was shifted to Government Stanley Medical College and Hospital, Chennai for treatment. The petitioner filed the present petition for shifting him to the Tamil Nadu Government Multi Super



Speciality Hospital, Omanthurar Government Estate, Chennai (for brevity 'Omanthurar Hospital') for better treatment and accordingly this Court issued the following directions on 17.03.2022:

6. The learned counsel for the petitioner submitted that the family of the petitioner is agreeable for shifting the petitioner to the Tamil Nadu Government Multi Super Speciality Hospital, Omanthurar Government Estate, Chennai, at their own risk and they will inform the same to the Dean, Government Stanley Medical College and Hospital, Chennai.

7. Accordingly, we direct the Dean, Government Stanley Medical College and Hospital, Chennai to assess the condition of the petitioner and thereafter, transfer him to the Tamil Nadu Government Multi Super Speciality Hospital, Omanthurar Government Estate, Chennai, for treatment.

2. Pursuant to the above, the petitioner was shifted to Omanthurar Hospital on 18.03.2022 and he was examined by the specialist there. The Director of Omanthurar Hospital has sent a communication dated 18.03.2022 addressed to the Superintendent, Central Prison, Puzhal, Chennai wherein it is stated as follows:

It has been suggested by the Associate Professor of Neurology of this hospital to provide 24 hours clinical attention which is possible only if the specialists namely Physician, Chest Physician, Diabetologist are available in one roof. This being a Super Speciality hospital we do not have General Departments under which the patient requires treatment.

As Rajiv Gandhi General Hospital has all the specialists under one roof for constant vigilant clinical care, it is better to shift the patient to Rajiv Gandhi General Hospital at the earliest.

3. In view of the above, we direct the shifting of the petitioner from Omanthurar Hospital by an ambulance to Dr. Rajiv Gandhi Government General Hospital, Chennai for treatment. Accordingly, the prison authorities and the Omanthurar Hospital authorities may take immediate steps for shifting the petitioner by an ambulance to Dr. Rajiv Gandhi Government General Hospital, Chennai, for treatment.



With the above direction, this miscellaneous petition is allowed.

-sd/-

28/03/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE DEPUTY SUPERINTENDENT OF POLICE,
CENTRAL BUREAU OF INVESTIGATION,
CBI/SCB/CHENNAI.

2 THE DEAN
STANLEY MEDICAL COLLEGE AND HOSPITAL, CHENNAI.

3 THE DEAN, TAMIL NADU
GOVERNMENT MULTI-SUPER SPECIALTY HOSPITAL,
OMANDURAR GOVERNMENT ESTATE, CHENNAI 600 002.

4 THE SPECIAL PUBLIC PROSECUTOR
FOR CBI CASES, HIGH COURT, MADRAS.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE

7 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

8 THE DEAN, DR. RAJIV GANDHI GOVERNMENT
GENERAL HOSPITAL, CHENNAI,

C.C. to M/S. K.BALU Advocate on payment of necessary charges

Order
in
CRL MP.3488/2022
in
CRL A.523/2021
Date :28/03/2022

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