



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

H.C.P. (MD) No.583 of 2022

N.Rajeswari ... Petitioner/Wife of Detenu

-vs-

1.The Director General of Prison,
Directorate of the Central Prison,
Chennai-600 008.

2.The Deputy Director General of Prison,
Directorate of the Central Prison,
Chennai-600 008.

3.The Superintendent of Prison,
Trichy Central Prison,
Trichy District.

4.The Commissioner of Police,
Trichy City.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus, to direct the respondents 3 & 4 to produce the person or body of petitioner's husband by name Nagappan, son of Boominathan, aged about 38 years before this Court and send him to Medical aid.

For Petitioner : Mr.J.Vijayaraja
For Respondents : Mr.S.Ravi
Additional Public Prosecutor

O R D E R

R. SUBRAMANIAN, J

AND

N. SATHISH KUMAR, J

Very serious allegations are made against the officials of the Trichy Central Prison by the petitioner stating that her husband has been assaulted by them.



2. According to the petitioner, as a result of the assault, her husband has suffered fracture in the leg as well as various injuries on his back.

3. Considering the statement made in the affidavit filed in support of the petitioner and the statement of Mr.Mohamed Rafi, Advocate, practising in District Court that he had seen the prisoner having suffered injury, we had requested the learned Principal District Judge, Trichirappalli, to visit the Central Prison, Trichy, along with Doctors nominated by the Dean, K.A.P.Viswanatham Government Medical College, Tiruchirappalli and file a report regarding the injuries found on the body of the prisoner, by name, Nagappan (TPDA-7137). The Doctors have examined the prisoner and conducted various tests and found that there was no visible injury and there was no assault on the prisoner.

4. Both the counsel, who had filed a writ petition and the counsel, who had appeared before us and stated that he saw the prisoner, have filed affidavit expressing regret for having stated wrong facts before this Court.

5. Accepting the affidavits, this Habeas Corpus Petition is dismissed. Counsel should take it up as a warning and exercise caution in making statement before the Court.

Sd/-

Assistant Registrar (AS)

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/ /2022

Sub Assistant Registrar(CS)

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Trichy Central Prison,
Trichy District.
- 4.The Commissioner of Police,



5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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RD(05.05.2022) 3P 6C