



W.P(MD)No.19211 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:24.08.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.19211 of 2022
& W.M.P.(MD)No.14004 of 2022

R.Usha

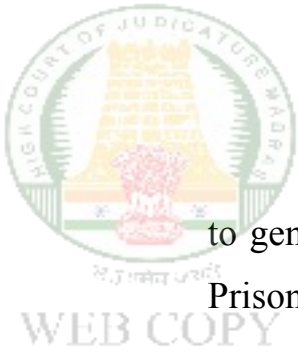
...Petitioner

VS

1. The State of Tamil Nadu,
Represented by its Secretary,
Home (Prison) Department,
Fort St. George,
Chennai – 600 009.
2. The Additional Diector General of Police,
Inspector General of Prison,
Tamil Nadu Prison Department,
Egmore, Chennai – 600 008.
3. The Superintendent of Police
Central Prison,
Trichy.
4. The Inspector of Police
Chinna Salem Police Station,
Kalla Kurichi District.
[Cr. No.238 of 2022]

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus, directing the 3rd respondent to shift the prisoner Ramalingam from solitary confinement



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to general cell and permit him to mingle with other prisoners at Central Prison, Trichy.

For Petitioner : Mr.S.Vanchinathan

For Respondents : Mr.M.Sakthi Kumar

Government Advocate(Crl.Side)

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a *Writ of Mandamus*, directing the 3rd respondent to shift the prisoner Ramalingam, from solitary confinement to general cell and permit him to mingle with other prisoners at Central Prison, Trichy.

2.Mr.M.Sakthikumar, learned Government Advocate (Criminal Side) takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3.The learned counsel appearing for the petitioner would submit that the petitioner is wife of the prisoner Ramalingam and he is in judicial custody in connection with a case registered in Crime No.238 of 2022 on the file of the 4th respondent police and confined at Central



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Prison, Trichy. He would further submit that the 3rd respondent/jail authorities did not allow the petitioner, Advocate and relatives to meet her husband. Hence, this petition.

4. Today, when the matter is taken up for hearing, the learned Government Advocate (crl. side) appearing for the respondents would submit that a case has been registered in Crime No.823 of 2022 dated 26.07.2022 for an offence under Section 42 of Prisoner Act, for illegal possession of cellphone. He would further submit that, he was put in Central Jail along with other accused persons, not in solitary confinement.

5. I have considered the submission of the learned counsel appearing for the petitioner and the learned Government Advocate (criminal side) appearing for the respondents.

6. On perusal of records, it is seen that the petitioner's husband Ramalingam is in judicial custody with regard to the case registered in Crime No.238 of 2022 by the 4th respondent police and he is now at Central Prison, Trichy. On a complaint preferred by the Prison



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authorities, K.K.Nagar Police has registered a case against the prisoner Ramalingam in Crime No.823 of 2022 on 26.07.2022 for illegal possession of cell phone.

7. At the juncture, the learned counsel appearing for the petitioner would submit that the petitioner, relatives are not permitted by the Jail authorities.

8. Considering the submission of the learned counsel appearing for the petitioner, the 3rd respondent/Jail Authorities are directed to act, under Jail Manual and Rules, regarding to grant permission to the petitioner, relatives and visitors and Advocate to see the prisoner, Ramalingam.

9. With the above direction, this writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

24.08.2022

Index :Yes/No
Internet : Yes/ No
ksa



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WEB COPY

To

1. The State of Tamil Nadu,
Home (Prison) Department,
Fort St. George,
Chennai – 600 009.
2. The Additional Director General of Police,
Inspector General of Prison,
Tamil Nadu Prison Department,
Egmore, Chennai – 600 008.
3. The Superintendent of Police
Central Prison,
Trichy.
4. The Inspector of Police
Chinna Salem Police Station,
Kalla Kurichi District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J

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