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*CRL.MP.No.3087 of 2023
in HCP.No.2669 of 2022*

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in

HCP.No.2669 of 2022

M.SUNDAR, J.

and

M.NIRMAL KUMAR, J.

(Order of the Court was made by **M.SUNDAR, J**)

Captioned 'Criminal Miscellaneous Petition' [hereinafter 'Crl.MP' for the sake of brevity] has been filed to fix an early date for final hearing of the aforementioned 'Habeas Corpus Petition' [hereinafter 'HCP' for the sake of convenience and clarity] being HCP No.2669 of 2022.

2. Mr.Ilayaraja Kandasamy, learned counsel representing the counsel on record submits that the detainee has been diagnosed with second stage of breast cancer.

3. Mr.R.Muniyapparaj, learned Additional Public Prosecutor appearing on behalf of all the four respondents submits that the detainee is being given adequate care. It is not a case of cancer and it is only a case of tumor. To put it differently, learned Additional Public Prosecutor on instructions submits that it is not a malignant tumor. Therefore, we are not inclined to accept the prayer.



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4. Captioned Crl.MP is disposed of as closed albeit preserving all the rights and contentions of the petitioner to come up with similar/same prayer, if the situation and circumstances change.

[M.S.,J.] [M.N.K.,J.]

02.03.2023

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