



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Twenty Third day of March Two Thousand and Twenty
Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.SURESH KUMAR
and
The Hon`ble Mr.Justice K.K. RAMAKRISHNAN

CRL MP(MD) No.1826 of 2023
in
HCP(MD) No.1754 of 2022

KARUPPI

... PETITIONER/GRANDMOTHER OF THE DETENU

Vs

1 THE PRINCIPAL SECRETARY TO GOVERNMENT,
STATE OF TAMI NADU
HOME, PROHIBITION AND EXCISE DEPARTMENT,
FORT ST.GEORGE, CHENNAI-600009.

2 THE COMMISSIONER OF POLICE
OFFICE OF THE COMMISSIONER OF POLICE,
MADURAI CITY, MADURAI.

3 THE SUPERINTENDENT OF PRISON
MADURAI CENTRAL PRISON, MADURAI DISTRICT.

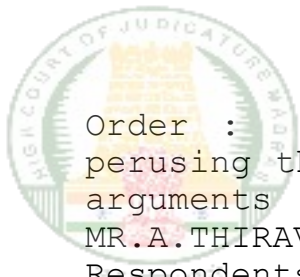
4 THE SUPERINTENDENT OF PRISON
DINDIGUL DISTRICT JAIL,
DINDIGUL DISTRICT

... RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to direct the respondent No.4 to transfer petitioners grandson from the Dindigul District Jail to Ramanathapuram District Jail within the time stipulated by this Honble Court

Prayer in Habeas Corpus Petition(MD) No. . 1754/ 2022 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith, the High Court will be pleased to detention order of R2 in No.74/BCDFGISSSV/2022 dt.13/9/2022 and quash the same and direct the respondents to produce the body or person of the detenu by name Nagaraj @ Loosu Nagaraj, S/o.Karuppaiah, aged about 30 years detained as GOONDA.



Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.ALAGUMANI.R, Advocate for the petitioner and of MR.A.THIRAVADI KUMAR, Additional Public Prosecutor on behalf of the Respondents, the Court made the following order:-

WEB COPY

(Order of the Court was made by R.SURESH KUMAR,J.)

This petition has been filed seeking a direction to the respondent No.4 to transfer the petitioner's grandson, who is the detenu, from the Dindigul District Jail to Ramanathapuram District Jail within a time stipulated by this Court.

2.Heard the learned counsel for the petitioner, who would submit that the detenu is presently at Dindigul District Jail and for convenience sake and also for security reasons, he wants to be transferred to Ramanathapuram District Jail. In this regard, he has given a representation on 14.10.2022 to the respondents. Therefore, in order to consider the same, the petitioner has moved this petition.

3.The learned Additional Public Prosecutor appearing for the respondents, on instructions, would submit that actually the detenu ought to have been confined only in Madurai Central Prison, however, the persons, who are considered to be enemies of the detenu, are already lodged in the Central Prison, Madurai, therefore, for security reasons, especially from the context of the detenu, he has been confined in District Jail at Dindigul. Insofar as his plea to transfer him to Ramanathapuram District Jail is concerned, already there has been a case registered against the detenu in Abiramam Police Station and charge sheet has been filed and therefore, at this juncture, it is not conducive for the authorities to transfer the detenu from Dindigul to Ramanathapuram. In this context, the representation given by the petitioner dated 14.10.2022 would be considered and decided by the first respondent within a time frame that would be stipulated by this Court.

4. Considering the said submission, especially the stand taken by the learned Additional Public Prosecutor, this Court is inclined to dispose of the petition with the following order:

"There shall be a direction to the first respondent to consider the representation of the petitioner dated 14.10.2022 in the light of the aforesaid discussion and accordingly pass necessary orders thereon on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order."

sd/-

23/03/2023

/ TRUE COPY /

/03/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE PRINCIPAL SECRETARY TO GOVERNMENT,
HOME, PROHIBITION AND EXCISE
DEPARTMENT, FORT ST.GEORGE, CHENNAI-600009.

WEB COPY

2 THE COMMISSIONER OF POLICE
OFFICE OF THE COMMISSIONER OF POLICE,
MADURAI CITY, MADURAI.

3 THE SUPERINTENDENT OF PRISON
MADURAI CENTRAL PRISON, MADURAI DISTRICT.

4 THE SUPERINTENDENT OF PRISON
DINDIGUL DISTRICT JAIL, DINDIGUL DISTRICT

ORDER
IN
CRL MP (MD) No.1826 of 2023
in
HCP (MD) No.1754 of 2022
Date :23/03/2023

SS/BUC/SAR I/30/03/2023/3P/5C