



W.P(MD)No.4546 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD) No.4546 of 2023

and

W.M.P(MD) Nos.4259, 4260 and 4263 of 2023

Petchiammal

... Petitioner

Vs.

1. The Director,
General of Prisons and Correctional Services,
Tamil Nadu Prisons and Correctional Services Department,
No.6, Whannels Road,
Egmore, Chennai - 600 008.
2. Deputy Inspector of General Of Prisons,
Madurai Range,
Madurai - 625 016.
3. The Superintendent,
Central Prison,
Madurai,
Madurai District.
4. The Inspector of Police,
Karimedu Police Station,
Madurai District.
5. Vasantha Kannan
6. Pandiyan

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents No.1 to 3 to take appropriate legal action against the delinquent Prison officials respondents Nos.5, 6 and other prison officials, who brutally beaten petitioner's son in the Central Prison, Madurai, based on petitioner's representation dated 18.02.2023 within a time stipulated by this Court.

For Petitioner : Mr.Karunanidhi.R
For R1 to R4 : Mr.B.Nambiselvan
Additional Public Prosecutor
For R5 : Mr.T.Palanisamy

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the respondents No.1 to 3 to take appropriate legal action against the delinquent Prison officials respondents Nos.5, 6 and other prison officials, who brutally beaten petitioner's son in the Central Prison, Madurai, based on petitioner's representation dated 18.02.2023 within a time stipulated by this Court.

2. In view of the report dated 30.03.2023 that was submitted by the Secretary, District Legal Services Authority, Madurai, I find no merits in this petition. Nothing more is required to be discussed in this matter,



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except extracting the above said report. The above said entire report is extracted here under;

“I submit that the petitioner's son Mahesh Shanmugam @ Mahesh when enquired, stated that he is an under Trial Prisoner for the past one and half years and on 15.02.2023, he bought 20 Beedi packets in the Prison from which, he was asked to handover, one Beedi packet to the prison workers and one to the Chief Warden Kannan and when he refused to do so, he was first beaten by the sixth respondent and that he was taken to the O.C.Team and was tied upon a table, where he was beaten with plastic and wooden sticks.

(ii) I further submit that the accused stated that first he was beaten by sixth respondent Pandiyan and then he was beaten by Somasundaram, Lakshmanan, Ajith and Veeraragavan and one Kannan brought him to the room of O.C.Team and due to this, he sustained injuries in his left calf muscle and contusions in his hands and legs.

(iii) I humbly submit that the accused showed a



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scar in his left leg behind the knee and some black patches in his right foot and stated that he was handcuffed and was not given any treatment till the order of the Hon'ble High Court and now he was no problem.

(iv) I submit that when enquired the fifth and sixth respondents, they said that on 15.02.2023 the accused Mahesh Shanmugam was in another block and when he was asked to go to his block, he argued and attacked the Police in Prison and he along with two other inmates were brought to the fifth respondent, who is the Superintendent incharge of the Central Prison, Madurai.

(v) I further submit that on 16.02.2023 at 10.50 a.m., this accused took the scissors of the hairdresser of the Prison and threatened to commit suicide by keeping it in his neck and was rescued by the O.C.Team Police Tr.N.Vignesh Kumar and Suicide Prevention Police Tr.R.Jeyasurian and these incidents were reported to the Karimedu Police Station.



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(vi) *I also submit that the 5th and 6th respondents have stated that this accused was not beaten or tortured by the Police in the Central Prison, but his accused is purposefully doing all the acts with an intention to get transferred to the Central Prison, Palayamkottai.*

(vii) *I further submit that when I enquired Dr.M.Jeyanthi, Psychologist, Central Prison, Madurai, regarding the attitude of this accused, she replied that all the acts of this accused is because of his intention to get transferred to the Central Prison, Palayamkottai and has no other issues.*

(viii) *I humbly submit that I have enclosed the statements of the accused Mahesh Shanmugam @ Mahesh, M.Pandiyan, Gr.1-P.C.No.18 (6th respondent) and S.Vasanthakannan, Superintendent incharge of Central Prison, Madurai (5th respondent) along with this report.*



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3. With the above said report, this Writ Petition stands dismissed.

Consequently, connected Miscellaneous Petitions are closed. No costs.

22.06.2023

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

Indu

To

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2. Deputy Inspector of General Of Prisons,
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3. The Superintendent,
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4. The Inspector of Police,
Karimedu Police Station,
Madurai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J

Indu

Order made in
W.P(MD)No.4546 of 2023

Dated : 22.06.2023