



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

Wednesday, the Tenth day of May Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN
and
The Hon`ble Mrs.Justice S.SRIMATHY

CRL MP(MD) No.7402 of 2023
in
HCP(MD)No. 73 of 2023

BRINDHA

... PETITIONER/PETITIONER

Vs

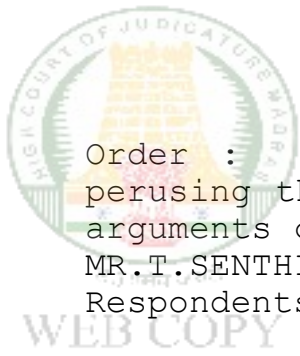
- 1 THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT,
HOME, PROHIBITION AND EXCISE DEPARTMENT,
FORT ST.GEORGE, CHENNAI-9.
- 2 THE DISTRICT MAGISTRATE AND DISTRICT COLLECTOR,
PUDUKKOTTAI DISTRICT,
PUDUKKOTTAI.
- 3 THE SUPERINTENDENT
SPECIAL PRISON FOR WOMEN, TRICHY.
- 4 THE INSPECTOR OF POLICE
K.PUDUPATTI POLICE STATION,
PUDUKKOTTAI DISTRICT.

... RESPONDENTS/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 3rd respondent to admit the petitioners mother namely Mrs.Annakodi, aged about 39 years in a Private Hospital for taking better treatment for her ailment at the cost of the petitioner by considering the petitioners representation dated 04.05.2023 within the time limit that may be stipulated by this Hon'ble court.

Prayer in Habeas Corpus Petition(MD) No. . 73/ 2023 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith, the High Court will be pleased to detention order on 19/12/2022 in detention order in PDO No.54/2022 and to quash the same and direct the respondents to produce the body or petitioners mother, the detenu namely Annakodi, W/o.Mahalingam, aged about 39 years befor this Hon'ble Court and set him at liberty, now he is detained at Special Prison for Women, Trichy.



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.JEYAKARTHIK.M.S, Advocate for the petitioner and of MR.T.SENTHILKUMAR, Additional Public Prosecutor on behalf of the Respondents, the court made the following order:-

Heard the learned counsel on either side.

2. The petitioner is the daughter of the detinue. Her mother had been detained under the Tamil Nadu Act 14 of 1982. It is not in dispute that the petitioner's mother is suffering from severe ailments.

3. The learned Additional Government Pleader asserts that she is being given proper care at Government hospital itself and there is no need to shift her to any private hospital.

4. Though the said submission is well founded, considering the facts and circumstances of the case, we direct the respondents to permit the detinue to take treatment in a private hospital at the cost of the petitioner. However, the treatment period cannot be indefinite, it can be for a maximum period of two weeks. The petitioner will have to bear the cost of escort service to be provided by the State. It is open to the detinue to take treatment in a private hospital of her choice, but the same should be within Trichy city limits.

5. This criminal miscellaneous petition is allowed accordingly.

sd/-

10/05/2023

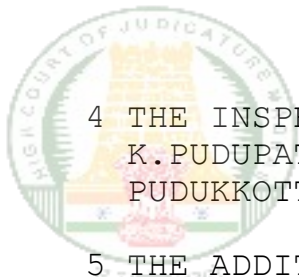
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/05/2023

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

SJ/SN
TO

- 1 THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT,
HOME, PROHIBITION AND EXCISE DEPARTMENT,
FORT ST.GEORGE, CHENNAI-9.
- 2 THE DISTRICT MAGISTRATE AND DISTRICT COLLECTOR,
PUDUKKOTTAI DISTRICT,
PUDUKKOTTAI.
- 3 THE SUPERINTENDENT
SPECIAL PRISON FOR WOMEN, TRICHY.



4 THE INSPECTOR OF POLICE
K.PUDUPATTI POLICE STATION,
PUDUKKOTTAI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-7240[I] dated 10/05/2023

ORDER

IN

CRL MP(MD) No.7402 of 2023

IN HCP(MD)No. 73 of 2023

Date :10/05/2023

PKP/VS/SAR-4/11.05.2023/ **3P/7C**