



W.P.(MD)No.14649 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 22.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

W.P.(MD)No.14649 of 2023

Subburaj @ Subbaraj

... Petitioner

Vs.

1.The Superintendent
Central Prison,
Madurai.

2.State Rep. By
The Inspector of Police,
Soolakarai Police Station,
Virudhunagar District.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to give the treatment at Velammal Medical College Hospital, Madurai or any appropriate Medical Institute to the petitioner / Convict Prisoner No.6325 who is now serving sentence of life imprisonment at Central Prison, Madurai by considering the representation of the petitioner, dated 09.06.2023.



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For Petitioner : Mr.G.Mariappan

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

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

The petitioner has filed this Writ Petition, seeking a direction to the first respondent to give treatment at Velammal Medical College Hospital, Madurai or any appropriate Medical Institute to the petitioner / Convict Prisoner No.6325, who is now serving sentence of life imprisonment at Central Prison, Madurai, by considering his representation, dated 09.06.2023.

2. In order to give treatment in the private hospital to the petitioner who is a Convict Prisoner No.6325 at the first respondent prison, the present petition has been filed.

3. Heard Mr.C.Mariappan, learned Counsel for the petitioner who would submit that he has already taken a treatment in a private hospital



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where after treatment he was advised that he has to be under medical management.

4. However, learned Additional Public Prosecutor appearing for the respondents by relying upon the communication of the Assistant Surgeon, Prison Medical Officer, Central Jail, Madurai, dated 19.06.2023, has stated that, patient already been given treatment both at the private hospital as well as the Government Rajaji Hospital and on 07.06.2023 last such treatment was given, thereafter the patient was advised to follow up, if he has any further symptoms and he is currently stable at prison campus with semi solid diet and he is carrying out his daily activities normally at prison campus.

5. Having gone through the medical records submitted by both sides, we feel that since the convict has to take treatment whenever such treatment is required at his will, he may be referred to the private hospital where he has taken treatment, but for the said purpose no temporary release is required for the prisoner and in this context, whenever such medical attention is required, after evaluating the same by the Prison Medical



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Officer, Central Jail, Madurai, the convict can be referred to the private hospital at his choice and after taking treatment, he has to be brought to the jail.

6. With these observations and directions, this Writ Petition is disposed of. No costs.

(R.S.K., J.) & (K.K.R.K, J.)

22.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

RM



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