



CRL MP(MD) No.10071 of 2023

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

Monday, the Seventeenth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice M.S.RAMESH
and
The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL MP(MD) No.10071 of 2023
IN
HCP(MD)No. 321 of 2023

PRABHA @ PRABHAKARAN ...PETITIONER/DETENU
(NOW CONFINING AT MADURAI CENTRAL PRISON)

Vs

1 THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT,
STATE OF TAMIL NADU, HOME,
PROHIBITION AND EXCISE DEPARTMENT,
FORT. ST. GEORGE,
CHENNAI- 600 009.

2 THE DISTRICT COLLECTOR AND DISTRICT MAGISTRATE,
O/O.THE DISTRICT COLLECTOR AND DISTRICT MAGISTRATE,
SIVAGANGAI DISTRICT, SIVAGANGAI.

3 THE SUPERINTENDENT OF PRISON
MADURAI CENTRAL PRISON,
MADURAI.

... RESPONDENTS



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Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to direct the Respondents to temporarily release the detenu by name Prabha@Prabhakaran,S/o.Dinakaran,aged 22 years,now taking treatment in Madurai Government Rajaji Hospital detained as Goonda at Madurai Central Prison under preventive detention by the order passed by the Respondent No.2 in Cr.M.P.No.2/Goonda 2023 dated 06.02.2023 for 30 days for taking treatment in Meenakshi Mission Hospital, Madurai.

Prayer in Habeas Corpus Petition(MD) No. . 321/ 2023 :

To issue a writ of habeas corpus or any other writ or direction calling for the entire records connected with the detention order of the respondent no.2 in Cr.M.P.No.2/Goonda/2023 dated 06.02.2023 and quash the same and direct the respondents to produce the body or person of the detenu by name Prabha @ Prabhakaran, Son of Dinakaran, aged about 22 years, now detained as "Goonda" at Madurai Central Prison before this Hon'ble Court and set him at liberty forthwith.

Order : This Criminal Miscellaneous 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.THIRUVADIKUMAR, Additional Public Prosecutor on behalf of the Respondents, the court made the following order:-

(Order of the Court was made by M.S.RAMESH, J.)

The prayer in the present petition is for a direction to the respondents to permit the petitioner to have the treatment in the Madurai Government Rajaji Hospital. The petitioner is detained as a 'Goonda' under Act 14 of 1982. In the affidavit dated 03.07.2023, he has stated that he is undergoing certain medical ailments in his chest and therefore, seeks for a better treatment at Government Rajaji Hospital.



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2. The learned Additional Public Prosecutor, on written instructions, submitted that with regard to the petitioner's medical complaint, he was referred to the Government Rajaji Hospital, wherein, he was admitted on 05.07.2023 and an MRI Scan was also taken for cervical spine and diagnosed as 'degenerative disc disease'. Since the Government Rajaji Hospital has already conducted necessary medical investigation and have also issued certain oral drugs with an advice for cervical collar, further treatment in Meenakshi Misson Hospital and Research Centre may not be required for the present. In case, the petitioner still complains of excess medical ailment, it is always open to him to approach the jail authorities seeking for better treatment. Accordingly, this petition is closed.

sd/-

17/07/2023

/ TRUE COPY /

/08/2023

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

RR

TO

1 THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT,
STATE OF TAMIL NADU, HOME,
PROHIBITION AND EXCISE DEPARTMENT,
FORT. ST. GEORGE,
CHENNAI- 600 009.

<https://www.mhc.tn.gov.in/judis>



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2 THE DISTRICT COLLECTOR AND DISTRICT MAGISTRATE,
O/O.THE DISTRICT COLLECTOR AND DISTRICT MAGISTRATE,
SIVAGANGAI DISTRICT, SIVAGANGAI.

3 THE SUPERINTENDENT OF PRISON
MADURAI CENTRAL PRISON,
MADURAI.

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

ORDER
IN
CRL MP(MD) No.10071 of 2023
IN
HCP(MD)No. 321 of 2023
Date :17/07/2023

PKP/DD/SAR- /04.08.2023/ 4P/5C

Madurai Bench of Madras High Court is issuing certified
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