



CRL MP(MD) No.6788 of 2024

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

Friday, the Fifth day of July Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA
and
The Hon`ble Mr.Justice K. RAJASEKAR

CRL MP(MD) No.6788 of 2024
in
HCP(MD)No. 704 of 2024

MYDEEN FATHIMA

... PETITIONER/WIFE OF THE DETENU

Vs

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

2 THE COMMISSIONER OF POLICE
O/O.THE COMMISSIONER OF POLICE,
TIRUNELVELI CITY,
TIRUNELVELI.

3 THE SUPERINTENDENT OF PRISON
PALAYAMKOTTAI CENTRAL PRISON,
TIRUNELVELI DISTRICT

... RESPONDENTS

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



CRL MP(MD) No.6788 of 2024

respondents to temporarily release the detenu by name seyad ali @ Mullan Seyad S/o.Abdul Vahab age 48 yrs now detained as Goonda at Palayamkottai Central Prison under the preventive detention by order passed by the R2 vide his order No. 29/BCDFGISSSV/2024 dated 28.05.2024 under section 3(1) of Act 14 of 1982 to get better treatment for his chest pain, pain in hands, shoulder and leg.

Prayer in Habeas Corpus Petition(MD) No. . 704/ 2024 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith, the High Court will be pleased H2-GO. To call for the entire records connected with the detention order of the Respondent No.2 in No.29/BCDFGISSSV/2024 dt 28.05.2024 and quash the same and direct the respondents to produce the body or person of the detenu by name Seyad Ali alias Mullan seyad Ali, son of Abdul Vahab, aged about 48 years, now detaining as "Goonda" at Palayamkottai 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 the petitioner not appearing either in person or by an advocate and of MR.A.THIRUVADI KUMAR, Additional Public Prosecutor on behalf of the Respondents, the court made the following order:-

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

The present petition has been filed by the petitioner seeking to direct the respondents to temporarily release the detenu by name Seyad Ali alias Mullan Seyad, son of Abdul Vahab, aged about 48 years now detained as "Goonda" at Palayamkottai Central Prison under the preventive detention by order passed by the Respondent No.2 vide his order No.29/BCDFGISSSV/2024, dated 28.05.2024 under Section 3(1) of Act 14 of 1982 as inpatient in Tirunelveli Government Medical College Hospital.



CRL MP(MD) No.6788 of 2024

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2. The case of the petitioner is that her husband, who is the detenu detained under Act 14 of 1982 under the impugned detention order No.29/BCDFGISSSV/2024, dated 28.05.2024, has been taking continuous treatment for the Diabates and since better treatment has to be given to her husband, the present petition has been filed seeking temporary release.

3. There is no representation for the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondents has produced the medical report of the prisoner given by the Medical Officer, Central Prison, Palayamkottai.

5. We have gone through the Medical Report and the same is reads as follows:-

"MEDICAL REPORT OF TPDA PRISONER 8298

SYED ALI @ MULLAN SYED ALI S/O.ABDUL VAHAF,

AGED 48 YEARS, CENTRAL PRISON, PALAYAMKOTTAI.

.....

The above said prisoner was admitted in Central Prison, Palayamkottai on 16.05.2024. At the time of admission he said he was known case of DIABATES MELLITUS on treatment past 8 years, he underwent Angioplasty 1 1/2 years back in private Hospital on regular treatment. Since then he was taking regular



CRL MP(MD) No.6788 of 2024

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oral medication (own drugs) and diabetic diet. Recently he came to central prison dispensary with complaints of back pain treated as outpatient. At present he is taking regular oral medication and his physical and mental health condition is stable. The above said prisoner was send to advisory Board to Chennai on 03.07.2024."

6.The learned Additional Public Prosecutor further submitted that as on date, the condition of the petitioner's husband has been stable and he has been taken to the Advisory Board, Chennai.

7. Accordingly, this petition is dismissed and list the main Habeas Corpus Petition in the regular course.

sd/-
05/07/2024

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/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AM
TO

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

ORDER
IN
CRL MP(MD) No.6788 of 2024
in
HCP(MD)No. 704 of 2024
Date :05/07/2024

PKP/GS/SAR /12.07.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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