



Crl.M.P.(MD) No.10731 of 2024

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

Monday, the Twenty Eighth day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice C.V.KARTHIKEYAN
and
The Hon`ble Ms.Justice R. POORNIMA

Crl.M.P.(MD) No.10731 of 2024
in
H.C.P.(MD)No.1038 of 2024

J.KAMALADEVI

... Petitioner / Mother of the Detenu

Vs

1 THE STATE OF TAMIL NADU
REP BY THE PRINCIPAL SECRETARY TO GOVERNMENT,
HOME, PROHIBITION AND EXCISE DEPARTMENT,
SECRETARIAT, CHENNAI-600 009.

2 THE COMMISSIONER OF POLICE
OFFICE OF THE COMMISSIONER OF POLICE,
TIRUCHIRAPPALLI CITY.

3 THE SUPERINTENDENT OF PRISON
TIRUCHIRAPPALLI CENTRAL PRISON,
TIRUCHIRAPPALLI 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 respondent no.3 to admit the petitioner son by name Saravanakumar alias Puli Saravanan son of Jeganathan, detaining at Tiruchirappalli Central prison to Tiruchirappalli Govt Hospital for Higher treatment to him by considering the

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



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petitioner representation dated 28.08.2024 in accordance with law with in the stipulated by this Honourable Court.

Prayer in Habeas Corpus Petition(MD) No. . 1038/ 2024 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith, the High Court will be pleased H2-GO. To detention order of the R2 in Detention order C.No. 78/Detention/C.P.O/TC/2024 dt 25.07.2024 and quash the same and to direct the Respondents to produce the body or person of the detenu by name Saravanakumar @ Puli Saravanan S/o.Jeganathan, A/23, now confining as "Goonda" at Tiruchirappalli Central Prison before this Honorable 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.R.PRAKASH, Advocate for the petitioner and of M/s.S.RAVI, Additional Public Prosecutor on behalf of the Respondents the court made the following order:-

On 15.10.2024, we had placed a request on the Chairperson of the District Legal Services Authority of Trichy District, to visit Central Prison, Trichy and enquire into the condition of TPDA Prisoner No.8387, Puli Saravanan, aged 23 years, S/o. Jaganathan, who is detained at Central Prison, Trichy and also have a meeting with Assistant Surgeon, Central Prison, Trichy and enquire into the medical condition of the said prisoner.

2. A report dated 24.10.2024 had now been forwarded by the Chairperson, District Legal Services Authority, Trichy / Principal District Judge, Tiruchirappalli and it is as follows:

"I visited the central prison in Trichy on October 23, 2024, at 4:30 PM, where I enquired about the prisoner Saravanan, who is detained there. I also met with the



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Assistant surgeon of the Central Prison in Trichy to enquire into the medical report of the said prisoner.

I submit that the prisoner, Puli Saravanan, appears to have complications from a malunited fracture in his right hand, leading to restricted movement and pain during sleep. He says that he is eating with his left hand and is unable to perform his own tasks. He is being taken care of by another co-accused in the same case, namely Sarathy, who is also under preventive detention. He states that he is unable to fold his fingers or lift any objects with his right hand.

I further submit that the Assistant surgeon, Dr.E.Sathish Kumar, informed during the inquiry that the prisoner requires specialised treatment from an orthopaedic surgeon at the Government Medical College Hospital in Trichy for deformity correction. The Assistant Surgeon informed that on October 5, 2024, the prisoner was last referred to the Government Medical College Hospital in Trichy.

I further submit that on perusal of medical records it shows that the prisoner has been directed to be presented for review on Wednesday (ie.October 9, 2024), but, he has not been produced till date. The Superintendent of the Central Prison reported that, despite requests, escort facilities were not provided by the Armed Reserved Police, to take the prisoner to Government Medical College Hospital, Trichy.



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The Assistant Surgeon stated that proper care is being provided to the prisoner and that further action will be taken based on the specialist's opinion during the review.

The Assistant surgeon also mentioned that the due date for the prisoner's review has already reached, and the prisoner will be referred to the Government Medical College Hospital in Trichy within one or two days, subject to the availability of escorts. The Superintendent of the Central Prison informed that she would arrange for escort facilities to take the prisoner to Government Medical College Hospital, Trichy without any further delay."

3. The above report is accepted. We would direct the Superintendent of Prison, Tiruchirappalli, the third respondent, to provide necessary and proper treatment to the said detenu. We are confident that the treatment would be so provided by the third respondent. No further orders are required. This Petition stands closed.

sd/-
28/10/2024

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/ 11 /2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS



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TO

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1 THE PRINCIPAL SECRETARY TO GOVERNMENT,
HOME, PROHIBITION AND EXCISE DEPARTMENT,
SECRETARIAT, CHENNAI-600 009.

2 THE COMMISSIONER OF POLICE
OFFICE OF THE COMMISSIONER OF POLICE,
TIRUCHIRAPPALLI CITY.

3 THE SUPERINTENDENT OF PRISON
TIRUCHIRAPPALLI CENTRAL PRISON,
TIRUCHIRAPPALLI DISTRICT.

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

COPY TO

1 THE CHAIRPERSON/ PRINCIPAL DISTRICT JUDGE,
DIST LEGAL SERVICES AUTHORITY, TRICHY

2 THE ASSISTANT SURGEON,
CENTRAL PRISON, TRICHY.

ORDER

IN

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in

H.C.P.(MD)No.1038 of 2024

Date :28/10/2024

PSP/ MMS /SAR /07.11.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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