



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2025

WEB COPY

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

WP No. 27711 of 2024

U.Ashwin Kumar

Petitioner(s)

Vs

1. State Represented By
The Principal Secretary To Government
Home Prohibition And Excise
Department
Secretariat, Chennai 600 009

2.The Commissioner
Tamil Nadu State Human Rights
Commission, Bishop Garden Street,
Bishop Garden Raja Annamalaipuram
Chennai 600 028

3.The Director General Of Police And
Director General Of Prisons And
Correctional Service, Whannels Road,
Egmore, Chennai 600 008



4. The Deputy Inspector General Or
Prisons

Vellor Range, Vellore 632 002

5. The Superintendent of Prisons
Central Prison, Vellore 632 002

6. The Jailor
Central Prison, Vellore 632 002

Respondent(s)

WP No. 27711 of 2024

PRAYER

Direct the 1st and 2nd respondents to take disciplinary action against the 3 to 6 respondents for subjecting the petitioner and co prisoners to physical and mental torture in Vellore Central prison during his remand period by forming a committee to supervise the prisons and ensure their safety and rights all over the State.

WP No. 27711 of 2024

For Petitioner(s): Ms.Uma Maheshwari For
Ms.P.Soniya

For Respondent(s): Mrs.E.Ranganayakai AGP For
R1
Mr.Mani Sundar Gopal For R2
Mr.M.Babu Muthu Meeran APP
For R3 To 6

ORDER

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



WEB COPY

The writ of mandamus has been instituted to direct the respondents 1 and 2 to take disciplinary action against the respondents 3 to 6 for subjecting the petitioner and co-prisoners to physical and mental torture in Vellore Central Prison during his remand period, by forming a Committee to supervise the prisons and ensure their safety and rights across the State.

2. The Division Bench of this Court has considered the issues raised by the petitioner in W.P.No.19668 of 2024 and passed an order on 05.09.2024 as follows:

“5. In view of the report of the learned Chief Judicial Magistrate, Vellore dated 04.09.2024, we have decided to initiate all appropriate actions in the interest of justice and hence pass the following interim orders:-

(i) The Registrar General, High Court, Madras is directed to communicate a copy of the report submitted by the learned Chief Judicial Magistrate, Vellore dated 04.09.2024 along with the statements enclosed therein, in a sealed cover, to the Director General of Prisons and Correctional Service,



WEB COPY

WP No. 27711 of 2024



Whannels Road, Egmore, Chennai and the Superintendent of Police, C.B.C.I.D., Chennai, by today.

(ii)The Director General of Prisons, on receipt of the said report, is directed to examine the contents and initiate all departmental actions against the erred officials under the relevant Act and Rules within a period of ten days from today.

(iii)The Superintendent of Police, C.B.C.I.D., Chennai is directed to register criminal cases based on the report of the learned Chief Judicial Magistrate, Vellore dated 04.09.2024 against all the offenders and commence investigation forthwith and intimate the actions taken at the end of C.B.C.I.D., to this Court on 20.09.2024.

(iv)The convict prisoner Mr.Sivakumar, S/o Sathish, aged about 30 years, Ct.No.2209, who is now confined in Central Prison, Vellore, is directed to be transferred to the Central Prison, Salem by tomorrow (06.09.2024).

(v)The Superintendent of Prison, Central Prison, Salem is directed to provide all necessary medical treatment to the convict prisoner



WEB COPY

WP No. 27711 of 2024



Mr.Sivakumar, S/o Sathish immediately and if necessary, by admitting him in the hospital.”

3. In view of the above direction issued under separate orders in respect of the relief sought for in the present writ petition, the said directions are to be implemented by the competent authorities. In view of the orders passed in the said writ petition, no further action is required.

4. Accordingly, this Writ Petition stands disposed of. No costs.

(S.M.SUBRAMANIAM J.)(K.RAJASEKAR J.)

01-04-2025

Jeni

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



WP No. 27711 of 2024



WP No. 27711 of 2024

WEB COPY

To

1.State Represented By
The Principal Secretary To Government
Home Prohibition And Excise
Department
Secretariat, Chennai 600 009

2.The Commissioner
Tamil Nadu State Human Rights
Commission, Bishop Garden Street,
Bishop Garden Raja Annamalaipuram
Chennai 600 028

3.The Director General Of Police And
Director General Of Prisons And
Correctional Service, Whannels Road,
Egmore, Chennai 600 008

4.The Deputy Inspector General Or
Prisons
Vellor Range, Vellore 632 002

5.The Superintendent F Prisons
Central Prison, Vellore 632 002

6.The Jailor
Central Prison, Vellore 632 002



WEB COPY

WP No. 27711 of 2024



**S.M.SUBRAMANIAM
J.
AND
K.RAJASEKAR J.**

Jeni

WP No. 27711 of 2024

01-04-2025