



W.P.(CrI.) No.1067 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

W.P.(CrI.) No.1067 of 2025

Visalakshi

... Petitioner

Vs.

1. The Secretary to the Government
Home, Prohibition and Excise Department
Government of Tamil Nadu
Fort St. George, Chennai – 600 009
2. The Secretary to Government
Health and Family Welfare Department
Namakkal Kavignar Maaligai
4th Floor, Fort St. George, Chennai – 600 009
3. The Director General of Police
Dr. Radhakrishnan Road
Mylapore, Chennai
4. The Dean
Stanley Medical College and Hospital
Old Jail Road, George Town, Chennai – 600 001
5. The Resident Medical Officer
Stanley Medical College and Hospital
Old Jail Road, George Town, Chennai – 600 001
6. The Inspector of Police
K-1 Sembiam Police Station, Chennai

... Respondents



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PRAYER : Writ Petition filed under 226 of the Constitution of India to issue a Writ of Mandamus direct the 4th and 5th respondents to consider the representation dated 09.10.2025, consequently direct the respondent to conduct the post-mortem examination on the deceased P.Nagendran be conducted in the presence of a qualified Medical expert or doctor nominated the petitioner's family members along with the Doctor of the Government and direct videography of the entire post-mortem examination to preserve evidence and ensure complete transparency and further direct for five viscera be preserved for the post-mortem toxicological analysis and other related purpose.

For Petitioner	: Mr.S.Ananthanarayanan, Senior Advocate for Mr.Baalaji
For R1 to R6	: Mr.K.M.D.Muhilan Additional Public Prosecutor

ORDER

This Writ Petition (Criminal) has been filed to direct the 4th and 5th respondents to consider the representation of the petitioner dated 09.10.2025, and consequently direct to conduct the post-mortem examination on the deceased P.Nagendran in the presence of a qualified Medical Expert or Doctor nominated by the petitioner's family members along with the Doctor of the Government and to videograph the entire post-



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WEB complete mortem examination and also direct to preserve evidence to ensure complete transparency and further direct to preserve five viscera samples for the post-mortem toxicological analysis and other related purpose.

2.The learned Senior Counsel appearing for the petitioner submitted that the petitioner's husband namely P.Nagendran (deceased), who was a life convict No.1236 who was a convict prisoner in Central Prison, Vellore, had required immediate medical attention towards 're-do Living Donor Liver Transplantation' (LDLT). Hence, the petitioner had filed a writ petition before this Court in W.P. (Crl.) No.267 of 2025 seeking direction to the State and Prison authorities to shift the husband of the petitioner to Rela Hospital, Chromepet, for better and proper medical treatment and periodical medical review. The Division Bench of this Court, by considering the report of the CMC Hospital, Vellore, dated 10.04.2025, wherein the petitioner's husband was earlier admitted for medical treatment, had directed the authorities to transfer the petitioner's husband from Central Prison, Vellore to Rela Hospital, Chromepet, Chennai, by order dated 13.08.2025, to admit him as an inpatient for the purpose of medical treatment on certain conditions. Despite the same, the petitioner's husband was shifted to Stanley Hospital, Chennai instead of shifting him to Rela



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Hospital. Though several requests were made, despite the medical reports confirmed his life threatening post liver transplant complications and severe Jaundice, the petitioner's husband was continuously denied the required treatment and ultimately, he died on 09.10.2025.

3.The learned Senior Counsel further submitted that the petitioner's husband who is a life convict died while he was in the custody of the State, which mandates an enquiry under Section 196(2)(a) of BNSS. Further, the petitioner also suspects the death of her husband. Hence, she has sent representations to the respondents seeking to conduct post-mortem by qualified independent doctors/medical board of a recognized institution and the present petition is filed seeking appropriate directions to the respondents based on the petitioner's representation.

4.The learned Additional Public Prosecutor appearing for the respondents submitted that, due to non-availability of Doctors in the specific field in the Rela Hospital, the petitioner's husband was recommended by the Rela Hospital authorities to take treatment in the Stanley Hospital, as they were doing liver transplants in the Government set up. Therefore, the petitioner's husband was given treatment in the Stanley



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Hospital.

WEB COPY 5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case and since the petitioner suspects the death of her husband, who is a life convict, and having regard to the fact that the petitioner's husband has died while he was in custody, in order to prevent any further legal complications and also to ensure transparency, this Court directs the 4th respondent/Dean, Stanley Medical College and Hospital, to nominate two Senior Doctors of Government Stanley Medical College and Hospital to conduct post-mortem on the deceased Nagendran, in the presence of Dr.B.Santhakumar, Dean (Retd.), Government Thoothukudi Medical College, Thoothukudi. Any one member of the family of the deceased shall be permitted to be present during the post-mortem. Further, the entire post-mortem shall be videographed and five viscera samples shall be taken and preserved, which shall be sent thereafter to Forensic Sciences Department for examination.

7. With the above directions, this Writ Petition is disposed of. No costs.

10.10.2025



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Note to Registry : Issue order copy on 10.10.2025.

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Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No

To

1. The Secretary to the Government
Home, Prohibition and Excise Department
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5. The Resident Medical Officer
Stanley Medical College and Hospital
Old Jail Road, George Town, Chennai – 600 001
6. The Inspector of Police
K-1 Sembiam Police Station, Chennai
7. Dr.B.Santhakumar,
Dean (Retd.), Govt. Thoothukudi Medical College,
Thoothukudi,
now residing at
No.2, Faiha Apartment,



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Second Street Left, Kasim Residency,
Othakkadai, Near Amman Road, Othakkadai, Madurai – 625 107.

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8. The Public Prosecutor
High Court of Madras, Chennai



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N. SATHISH KUMAR, J.

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