



W.P(MD)No.355 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 22.01.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

W.P(MD)No.355 of 2025

G.Selvarani

... Petitioner

Vs.

- 1.The Inspector General of Prison,
CMDA Tower-II,
No.1, Gandhi Irwin Road,
Egmore, Chennai.
- 2.The Deputy Inspector General of Prison,
Madurai Range,
Madurai Central Prison Campus,
Madurai City - 625 016.
- 3.The Superintendent of Prison,
Madurai Central Prison,
Madurai.
- 4.The Superintendent of Prison,
Ramanathapuram Sub Jail,
Ramanathapuram.
- 5.The Superintendent of Police,
Ramnad.

... Respondents

*(R5 is suo motu impleaded vide order dated
08.01.2025 in W.P(MD).No.355 of 2025 by
GRSJ and RPJ)*



W.P(MD)No.355 of 2025

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 28.11.2024 and consequently direct the 1st respondent to transfer the petitioner's son Shanmuganathan @ Jamuna aged about 23 years to 4th respondent prison on humanitarian ground in the interest of justice.

For Petitioner : Mr.J.Vijayaraja

For Respondents : Mr.T.Senthil Kumar,
Addl. Public Prosecutor.

ORDER

(Order of the court was delivered by G.R.Swaminathan, J.)

Heard both sides.

2.The petitioner's son / Shanmuganathan @ Jamuna is presently housed in Central Prison, Madurai. He was arrested in Crime No.225 of 2023 registered on the file Kenikkarai Police Station. The request made by the petitioner is that since the family is at Ramanathapuram, the under trial prisoner could be shifted from Central Prison, Madurai to District Jail, Ramanathapuram. Since the request was not considered, the present writ petition came to be filed.

2/6



W.P(MD)No.355 of 2025

WEB COPY

3.The Superintendent of Prison, Madurai Central Prison has filed counter affidavit. The respondents have also filed a detailed objection report.

4.The learned Additional Public Prosecutor would point out that the petitioner's son had accompanied one Kokki Kumar, who carried out brutal assault on an under trial prisoner in Court premises. He also states that the case involves communal overtones.

5.The specific stand of the respondents is that if the under trial prisoner is shifted to District Jail, Ramanthapuram, there would be communal issues.

6.In these matters, the Court has to defer to executive wisdom. We, therefore, decline the request of the petitioner. However, taking into account the fact that the petitioner's son is incarceration for more than 1 ½ years for an offence under Section 307 IPC, we direct the PCR Court, Ramanathapuram to dispose of S.C.No.39 of 2023 on merits and



W.P(MD)No.355 of 2025

in accordance with law within a period of four months. The Registry to communicate this order copy to the trial Court. We grant leave to the under trial prisoner to apply for bail also in the meanwhile.

7.This writ petition is disposed of accordingly. No costs.

**(G.R.S. J.) & (R.P. J.)
22.01.2025**

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:-

- 1.The Inspector General of Prison,
CMDA Tower-II,
No.1, Gandhi Irwin Road,
Egmore, Chennai.
- 2.The Deputy Inspector General of Prison,
Madurai Range,
Madurai Central Prison Campus,
Madurai City - 625 016.
- 3.The Superintendent of Prison,
Madurai Central Prison,
Madurai.
- 4.The Superintendent of Prison,
Ramanathapuram Sub Jail,

4/6



W.P(MD)No.355 of 2025

Ramanathapuram.

5.The Superintendent of Police,
Ramnad.

6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

The PCR Court,
Ramanthapuram.



WEB COPY



W.P(MD)No.355 of 2025

**G.R.SWAMINATHAN, J.
and
R.POORNIMA, J.**

ias

W.P(MD)No.355 of 2025

22.01.2025