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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Criminal Original Jurisdiction

Tuesday, the Fifth day of August Two Thousand and Twenty Five

PRESENT

The HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA
AND
The HONOURABLE MS. JUSTICE R. POORNIMA

HCP(MD). No.934 of 2025

M. Angammal

... Petitioner

Vs

1. The Additional Chief Secretary to Government
Home, Prohibition and Excise Department
Secretariat, Chennai 600009.
2. The Director General of Police/
Director General of Prisons and Correctional Service,
Whannels Road
Egmore Chennai 600 008.
3. The Superintendent of Prison
Central Prison, Trichy 620020.
4. D.Pazhani

5. Manikandan

... Respondents

Prayer :-

Peititon filed under Article 226 of the Constitution of India, praying theat this Hon`ble court be pleased to issua w Writ of Habeas Corpus directing the



respondents 1 to 3 to produce the body and person of the petitioner's son Harikarasudhan S/o.Muniyasamy, PID No.289748, now confined in Central Prison, Trichy before the Honble Court and to provide proper medical treatment to the Petitioner's son and further directing the respondents 1 to 3 to take appropriate action against respondents No.4 and 5.

ORDER:- This Petition coming on for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.P.Pugalenth, Advocate for the Petitioner and of Mr.A.Thiruvadikumar, Additional Public Proscutor for the respondents, this Court made the following order:

This Habeas Corpus Petition is filed to direct the respondents 1 to 3 to produce the body and person of the petitioner's son Harikarasudhan, S/o.Muniyasamy, PID No.289748 now confined in Central Prison, Trichy before this Court and to provide proper medical treatment to the petitioner's son and further direct the respondents 1 to 3 to take appropriate action against the respondents 4 and 5, who had assaulted the petitioner's son.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.



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3.The crux of the allegation is that the petitioner's son viz., Harikarasudhan, S/o.Muniyasamy, PID No.289748, was detained as a convict prisoner in Central Prison, Trichy and that on 26.07.2025, the Deputy Jailer/ the fifth respondent had attacked the petitioner's son who was lying in the cell with a lathi asking him why he was lying there and he has inserted into his anus and subsequently, several wardens had come in to the cell and attacked the petitioner's son, due to which, the petitioner's son had sustained injuries all over body. It is the further case of the petitioner that on 28.07.2025 when the petitioner's lawyer Jayaganesan had gone there for an interview, he saw the injuries on the body of the petitioner's son. While the petitioner's son was talking with his lawyer, the prison guards had forcibly taken him away without even allowing him to give proper instructions to the lawyer. Therefore, the petitioner had made a representation dated 31.07.2025 to the respondents 1 to 3 to take appropriate action against the fourth and fifth respondents. Alleging that the attack on the petitioner's son is a serious violation of human rights in custody, the Habeas Corpus Petition is filed.

4.The learned counsel appearing for the petitioner submitted that in respect of the brutal attack on the petitioner's son, Mr.Jayaganesan, advocate had given a written complaint to the Legal Aid and it was forwarded to the Chief Judicial Magistrate, Trichy, who in turn, had visited the the prison and obtained a report

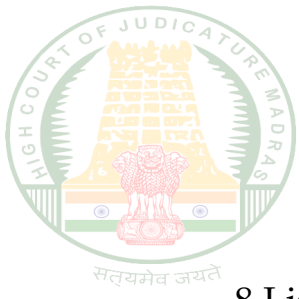


with regard to the incident. He further submitted that in the prison, the life of the petitioner's son is in danger and thereby Habeas Corpus Petition has been filed by the petitioner.

5.The learned Additional Public Prosecutor takes notice for the respondent Nos.1 to 3.

6.Notice to the respondent Nos.4 & 5 returnable by 07.08.2025. Private notice is also permitted.

7.We direct the Registry to call for reports from the learned Chief Judicial Magistrate, Trichy, with regard to the visit to the prison and in respect of the complaint made by the Advocate Jayaganesan in respect of the assault on the detenu viz., Harikarasudhan, S/o.Muniyasamy, PID No.289748. The said report should reach this Court on 07.08.2025. We also direct the Principal District Judge, who is the chairman of the District Legal Service Authority, to immediately visit the prison and conduct an enquiry with regard to the allegation of the petitioner in respect of the attack on the petitioner's son and to file a report.



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8. List the matter on 07.08.2025 for filing report.

Sd/-

Assistant Registrar(T&P)

// True Copy //

/ / 2025

Sub Assistant Registrars CS (I/II/III/IV)

TO

1. The Additional Chief Secretary to Government
Home, Prohibition and Excise Department
Secretariat, Chennai 600009.
2. The Director General of Police/
Director General of Prisons and Correctional Service,
Whannels Road
Egmore Chennai 600 008.
3. The Superintendent of Prison
Central Prison, Trichy 620020.

Copy to:

1. The Chief Judicial Magistrate, Trichy
2. The Principal District Judge, Trichy.
3. The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai



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ORDER DATED : 05/08/2025

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ORDER

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HCP(MD). No.934 of 2025

Giving direction and etc.
as stated within.

JJ/05.08.2025 6P/ 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023