



H.C.P(MD)No.934 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2025

CORAM:

THE HONOURABLE **MR.JUSTICE A.D.JAGADISH CHANDIRA**

AND

THE HONOURABLE **MS.JUSTICE R.POORNIMA**

H.C.P(MD)No.934 of 2025

M.Angammal

... Petitioner/
Mother of the detenue

-Vs-

- 1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-600 009.
- 2.The Director General of Police/
Director General of Prisons and Correctional Service,
Whannels Road,
Egmore, Chennai-600 008.
- 3.The Superintendant of Prison,
Central Prison,
Trichy-620 020.
- 4.Mr.D.Pazhani
- 5.M.Manikandan

... Respondents



H.C.P(MD)No.934 of 2025

WEB COPY

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, to issue a 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 this 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 the respondents 4 and 5, who had assaulted the petitioner's son.

For Petitioner : Mr.P.Pugalenth
For R1 to R3 : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

(Order of the Court was made by A.D.JAGADISH CHANDIRA,J.)

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



H.C.P(MD)No.934 of 2025

WEB COPY

further directing 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.

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 the lathi 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



H.C.P(MD)No.934 of 2025

WEB COPY

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. When the matter came up for hearing on 05.08.2025, after hearing the learned counsel for the petitioner, we directed 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 and we also directed 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 and directed the matter to be listed on 07.08.2025.

5. On 07.08.2025, we received a comprehensive report from the learned Principal District Judge, Trichy. After hearing the learned counsel for the



H.C.P(MD)No.934 of 2025

WEB COPY

petitioner, the learned Additional Public Prosecutor appearing for the respondents and after perusing the reports, we had set aside the order of punishment of withdrawal of privilege and also permitted the petitioner to visit her son everyday at 10.00 a.m., to 12.00 p.m., until further orders. We also directed that the petitioner's son shall also be given proper treatment in jail hospital. Further, the petitioner's son/prisoner if so desires was directed to give a complaint before the Deputy Inspector General of Police, Trichy Prison and he in turn was directed to forward the same to the jurisdictional police forthwith and the jurisdictional police was directed to register a case based on the complaint and continue with the investigation. We also directed the respondents to produce the Service Register of Manikandan.

6.Pursuant to the same, the matter is listed today.

7.Today the Service Register of Manikandan is produced before us.

8.The learned Additional Public Prosecutor appearing for the respondent would submit that pursuant to the order passed by this Court, the jail



H.C.P(MD)No.934 of 2025

WEB COPY

authority had asked the petitioner's son to give a complaint on the same day even before the order could be uploaded, based on the instructions given by the Court the prison authorities had informed the prisoner to give a complaint, however the petitioner's son on 08.08.2025, had refused to give a complaint stating that he would give a complaint only after getting instructions from his counsel. On the next day, one Dharmalingam, the Advocate had 8 pages written complaint. He would further submit that though in the original affidavit filed by the petitioner she has made allegation against one Manikandan and other prison staff, an exaggerated and improved complaint has been given as against the Deputy Inspector General of Prison and 20 other prison staff. The Deputy Inspector General of Prison, after receiving the same, has forwarded the complaint to K.K.Nagar Police, Trichy and the K.K.Nagar police in due compliance of the direction of this Court, have registered a case in Crime No.539 of 2025 for an offence under Sections 191(2), 191(3), 296(b), 127(2), 115(2), 118(1), 351(2) BNS and 54 of Prisons Act, 1894. He would further submit that the investigation is going on.

9.We perused the Service Register. From the Service Register, we find



H.C.P(MD)No.934 of 2025

WEB COPY

no adverse remarks as against the said prison officials against whom the allegations are made.

10.The learned Additional Public Prosecutor has also produced the reports relating to the further treatment given to the petitioner's son in the prison hospital. Admittedly, the complaints of the Jail Staff and the Prisoner are pending investigation before the K.K.Nagar Police Station. He would further submit that the petitioner's son is a convict having been convicted for in a Narcotic Drug case for having found in possession of commercial quantity of contraband along with one Saba @ Sabarathinam. The said Saba @ Sabarathinam is an associate of Ennore Dhanasekar, who was a prisoner in Cuddalore prison. He would further submit that on account of enmity between Ennore Dhanasekaran and the said Manikandan, a petrol bomb had been hurled on the quarters of Manikandan and a case was also registered suspecting that the petitioner's son and the said Saba @ Sabarathinam are behind that and the petitioners son was transferred to Trichy Prison. He would reiterate that initially no averments have been made against the Deputy Inspector General of Prison and other staffs, however, after meeting the advocate, an exaggerated and improved complaint has been given against the



H.C.P(MD)No.934 of 2025

WEB COPY

officials. He would further submit that he has no objection in the investigation being done by any agency.

11.Mr.P.Pugalenth, the learned counsel appearing for the petitioner, in reply, would submit that initially the mother of the prisoner had given a complaint based on the information given by his son's advocate and she was not aware of the entire facts.

12.In view of the above, we find that no further order is required in the Habeas Corpus Petition and hence, the same stands closed with a direction to K.K.Nagar police, Trichy, to transfer the investigation in Crime Nos.516 and 539 of 2025 to CBCID, Trichy, who shall take up the case and proceed with the investigation.

[A.D.J.C.,J.] & [R.P.,J.]
11.08.2025

NCC:Yes/No
Index:Yes/No
Ns



H.C.P(MD)No.934 of 2025

WEB COPY

To

- 1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-600 009.
- 2.The Director General of Police/
Director General of Prisons and Correctional Service,
Whannels Road,
Egmore, Chennai-600 008.
- 3.The Superintendant of Prison,
Central Prison,
Trichy-620 020.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



H.C.P(MD)No.934 of 2025

A.D.JAGADISH CHANDIRA, J.
AND
R.POORNIMA.,J.
Ns

ORDER MADE IN
H.C.P(MD)No.934 of 2025

11.08.2025