



Crl.M.P.(MD)No.14100 of 2025
in HCP(MD) No.807 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 11.11.2025

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Crl.M.P.(MD)No.14100 of 2025
in HCP(MD) No. 807 of 2025

Lailathu Nisha

... Petitioner

.Vs.

1. The State of Tamilnadu, Rep By,
The Additional Chief Secretary to Government,
Home, Prohibition and Excise Dept.,
Fort St.George, Chennai - 9.
2. The District Collector and District Magistrate,
Thanjavur District.
3. The Superintendent of Prison,
Central Prison,
Tiruchirappalli.
4. The Superintendent of Police,
Thanjavur, Thanjavur District.
5. The Inspector of Police,
Thogur Police Station,
Thanjavur District.
Cr.No.41/2025.

...Respondents

Prayer:- Petition is filed under Article 226 of the Constitution of India, to fix an early date for the final hearing in H.C.P.(MD)No.807 of 2025



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For petitioner : Mr.T.Selvakumar
For Respondents : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

ORDER

(Order of the Court was made by C.V.KARTHIKEYAN, J.)

This petition has been filed to advance the hearing of the Habeas Corpus Petition itself on the ground that the detenu requires treatment and surgery owing to his affliction of right inguinal region/hernia operation.

2. We had called for report from the Surgeon, Central Prison at Trichy and we have been forwarded with the report that surgical intervention is required for hernia but that the detenu was not willing to undergo the said surgery. On the previous hearing date, however, we were informed that the surgery could be done and the petitioner could be present to give some solace to the detenu during the surgery and post operation treatment. But however, certain conditions were required to be imposed and learned Additional Public Prosecutor stated that she should not be in possession of any mobile phone and should not be in contact of other individual outside. Accordingly, we had



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sought for an affidavit from the petitioner and an affidavit has also been filed,
wherein she had stated as follows:

“7. I undertake and solemnly affirm that if the Hon'ble Court is pleased to permit me to accompany and remain with my husband Mansoor Ali during his surgery and post-operative hospitalisation period:

a. I shall be present with the detenu from the day of his admission for surgery until the day of his discharge from the hospital.

b. I shall not possess, carry, or use any mobile phone or electronic communication device during my stay in the hospital.

c. I shall strictly comply with all conditions, restrictions, and security instructions issued by the Hon'ble Court, the Prison Authorities, or the Hospital Administration.

d. I shall look after and care for my husband personally during his hospitalization and cooperate fully with the medical and prison authorities.

e. I shall not communicate with any outsider or indulge in any act contrary to the Court's directions or the authorities' instructions.

8.1 respectfully submit that this undertaking is given voluntarily and with full understanding, to enable my husband to



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safely undergo the advised surgery and proper post-operative recovery, under the supervision of the hospital and prison officials.”

3. The copy of the same had also been forwarded to the learned Additional Public Prosecutor. Necessary instructions may be detained determining the date of surgery at Annal Gandhi Memorial Government Hospital, Trichy and whenever the surgery is fixed, the respondents may permit the petitioner/wife of the detenu Lailathu Nisha to be present from the date of his admission for surgery till his discharge. The petitioner may strictly comply with the undertaking given by her and recorded by us in this order.

4. Accordingly, the petition stands closed.

(C.V.K., J.) (R.V., J.)

11.11.2025

vsm



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Thogur Police Station,
Thanjavur District.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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