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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2026

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HON'BLE MR. JUSTICE B.KARTHIKEYAN

Case QR

W.P.Crl.No.2927 of 2026

CNR: {HCMA012658852026}

K.Arumugathammal

..Petitioner(s)

Vs.

1. State of Tamil Nadu rep. by its,
The Additional Chief Secretary to Government,
Home, Prohibition & Excise Department,
Secretariat, Chennai – 600 009.

2. The Director General of Police &
Director General of Prisons and Correctional Services,
Whannels Road, Egmore,
Chennai – 600 008.

3. The Superintendent of Prison,
Central Prison, Salem – 636 007.

4. The Dean,
Government Mohan Kumaramangalam Medical College
Hospital, Salem.

5. The Dean,
Tirunelveli Medical College Hospital,
Tirunelveli.

6. The Superintendent of Central Prison,
Tirunelveli.

(R4 to R6, *suo motu* impleaded today)

..Respondent(s)

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Prayer: Writ Petition (Criminal) filed under Article 226 of the Constitution of India, seeking to issue a Writ of Mandamus, directing the respondents to immediately provide proper and adequate medical treatment to the petitioner's sons, namely (1) Meenakshi Sundaram, aged 26 years, S/o. Karuppannan and (2) Thirupathi aged 22 years, S/o. Karuppannan and the other injured remand prisoners, namely (3) Solai Mugileswaran, aged 19 years, S/o. Nagalingam and (4) Sabarinathan, aged 24 years, S/o. Palani Sundaram, who are presently confined in the Central Prison, Salem, by referring them to the Government Mohan Kumaramangalam Medical College Hospital, Salem, for a complete medical examination and necessary treatment, including specialist treatment, as may be medically required and consequently direct an independent judicial inquiry into the alleged custodial assault and ill-treatment of the above prisoners by the prison authorities, within a time frame to be fixed by this Court.

For Petitioner(s) : Mr.P.Pugalenthi

For Respondent(s) : Mr.C.R.Malarvannan,
Additional Public Prosecutor

ORDER

(Made by A.D.JAGADISH CHANDIRA, J.)

This Writ Petition (Criminal) has been filed seeking a direction to the respondents to immediately provide proper and adequate medical treatment to the petitioner's sons, namely, (1) Meenakshi Sundaram, aged 26 years, S/o. Karuppannan, and (2) Thirupathi, aged 22 years, S/o. Karuppannan; as well as the other injured remand prisoners, namely: (3) Solai Mugileswaran, aged 19 years, S/o. Nagalingam, and (4) Sabarinathan, aged 24 years, S/o. Palani Sundaram, who are presently confined in the Central Prison, Salem, by referring

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them to the Government Mohan Kumaramangalam Medical College Hospital, Salem, for a complete medical examination and necessary treatment, including specialist care, as may be medically required; and consequently, to direct an independent judicial inquiry into the alleged custodial assault and ill-treatment of the said prisoners by the prison authorities, within a time frame to be fixed by this Court.

2. The case of the petitioner is as follows:-

2.1 The petitioner's two sons were detained in Theni District Prison as remand prisoners. While so, the petitioner's sons and the other two prisoners escaped from the prison on 26.10.2026 and later, they surrendered before the police through their Advocate on 28.10.2026 and were subsequently, remanded to judicial custody and were taken back to Theni District Prison. However, after their surrender, they were subjected to severe physical assault by the Prison Warders by names, Lakshmanan, Karthik and Arun along with other prison personnel, due to which, they sustained grievous injuries all over the body. Further, the petitioner's son, Meenakshi Sundaram, suffered serious injuries, including an injury to his toe resulting in loss of nail in one of the fingers. Despite the same, neither the petitioner's sons nor the other prisoners were given proper medical treatment. Instead, on 30.10.2026, the petitioner's son, Meenakshi Sundaram and the other two prisoners were transferred from Theni

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District Prison to Central Prison, Salem, without being provided with necessary medical treatment for their injuries.

2.2 While things stood thus, on 31.10.2026, when the petitioner contacted the Salem Central Prison authorities over phone seeking to arrange an interview with his son, Meeenakshi Sundaram, she was informed that she would not be able to meet him on Monday and that, she could, instead, send an Advocate to meet him. Therefore, the petitioner sent an advocate by name, Sathish to the Central Prison, Salem, who found injuries in the petitioner's son, Meenakshi Sundaram and other two prisoners. Alleging that the respondents have not given proper medical treatment to the injured prisoners, the petitioner has come up with this petition.

3. Learned counsel for the petitioner submitted that while the petitioner originally believed both her sons were transferred to the Central Prison, Salem, she has now learnt that her son, Thirupathi, is actually confined in the Central Prison, Palayamkottai, and not at Salem.

4. When the matter was taken up for hearing today, we were informed that on the basis of an order dated 02.11.2026 passed on the administrative side by the Executive Chairman of the Tamil Nadu State Legal Services Authority, a direction was issued to the Chairman, District Legal Services Authority (DLSA), Theni, to visit the District Jail, Theni, where the 17 remand prisoners

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were originally detained. The Chairman was further directed to enquire into the allegations of torture and intimidation, and also to ascertain whether the prisoners had received legal assistance and representation through the prison legal aid clinic. Furthermore, the Chairmen of the respective DLSAs and also the DLSA Secretaries concerned were issued the following directions:- (i) interact with the remand prisoners individually, without prison officials being present, so that they can freely disclose instances of assault, intimidation and torture; (ii) verify whether the prisoners are injured and if so, whether they received medical attention, and to record the injuries; (iii) record the alleged perpetrators; dates, places and nature of assault; and the names of witnesses, if the prisoners had been beaten; (iv) ascertain whether the remand prisoners were threatened, coerced or prevented from making complaints; (v) facilitate the remand prisoners to give necessary application to the prison legal aid clinic operational in the prison for availing legal services and help and; (vi) to note any other violation of fundamental rights and prison rules notices during the inspection.

5. In adherence to this, the Member Secretary, Tamil Nadu State Legal Services Authority (TNSLSA), issued consequential directions to the respective Chairmen alongside their DLSA Secretaries to inspect the Central Prisons, Cuddalore, Madurai, Palayamkottai and Salem and also the District Jail, Theni,

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and also enquire into the aspects mentioned in the administrative note order dated 02.11.2026, and file a report on or before 16.11.2026.

6. Taking into consideration the administrative orders already passed on 02.11.2026 and the submissions made by the learned counsel for the petitioner, we deem it appropriate that if any of the remand prisoners is injured, he/she must be provided with immediate and adequate medical treatment.

7. In view of the above, for an effective adjudication of the issues involved, this Court hereby *suo motu* impleads the Dean, Government Mohan Kumaramangalam Medical College Hospital, Salem; the Dean, Tirunelveli Medical College Hospital, Tirunelveli; and the Superintendent of Central Prison, Tirunelveli, as the respondents 4 to 6 in this petition.

8. Consequently, the Dean, Government Mohan Kumaramangalam Medical College Hospital, Salem, as well as the Dean, Tirunelveli Medical College Hospital, Tirunelveli, are directed to constitute and depute respective Medical Boards consisting of three Medical Officers/Doctors which shall accompany the Chairmen and Secretaries of the District Legal Services Authorities concerned during their prison visits, examine the prisoners, and provide requisite medical treatment wherever necessary.

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9. Post the matter under the caption 'For Reporting Compliance' on **06.11.2026**.

(A.D.J.C., J.) (B.K., J.)
03.11.2026

skt

Note to office: Issue order copy on 03.11.2026.

To:

1. The Additional Chief Secretary to Government,
Home, Prohibition & Excise Department,
Secretariat, Chennai – 600 009.

2. The Director General of Police &
Director General of Prisons and Correctional Services,
Whannels Road, Egmore,
Chennai – 600 008.

3. The Superintendent of Prison,
Central Prison, Salem – 636 007.

4. The Superintendent of Prison,
Central Prison, Tirunelveli.

5. The Dean,
Government Mohan Kumaramangalam Medical College Hospital,
Salem.

6. The Dean,
Tirunelveli Medical College, Tirunelveli.

7. The Chairman,
District Legal Services Authority,
Salem.

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8. The Secretary,
District Legal Services Authority,
Salem.

9. The Chairman,
District Legal Services Authority,
Tirunelveli.

10. The Secretary,
District Legal Services Authority,
Tirunelveli.

11. The Public Prosecutor,
Madras High Court.

12. The Member Secretary,
Tamil Nadu State Legal Services Authority,
Madras High Court Buildings,
Chennai – 600 104.

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