



H.C.P.No.2754 of 2025 &
W.P.(CrI.)No.1791 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 18 / 02 / 2026
PRONOUNCED ON : 24 / 03 / 2026

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

H.C.P.No.2754 of 2025 &
W.P.(CrI)No.1791 of 2025 &
W.P.M.P.(CrI.)Nos.839 of 2025 & 61 of 2026

A.Kamala ... Petitioner in both
Petitions

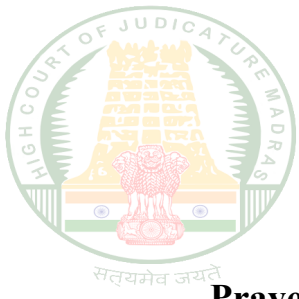
Vs.

1.The Inspector of Police,
J1-Saidapet Police Station,
Chennai. (Crime No.519 of 2025)

2.The Inspector of Police,
S8-Adambakkam Police Station,
Chennai. (Crime No.377 of 2025)

3.The Superintendent of Prison,
Puzhal Central Prison-II,
Puzhal, Chennai.

... Respondents in both
Petitions



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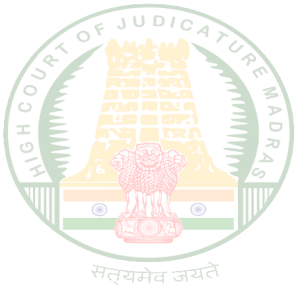
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Prayer in H.C.P.No.2754 of 2025: This Petition is filed under Article 226 of the Constitution of India, seeking for a direction, forbearing the third respondent from isolating the Petitioner's son, A.Shankar @ Savukku Shankar (PID No.450607), S/o. Achimuthu, aged about 49 years, from other inmates and from subjecting him to solitary confinement at Central Prison-II, Puzhal, Chennai.

Prayer in W.P.No.1791 of 2025: This Petition is filed under Article 226 of the Constitution of India, seeking for a direction to the respondents to forthwith provide the Petitioner's son A.Shankar @ Savukku Shankar (PID No.450607) S/o.Achimuthu, aged about 49 years, confined in Central Prison-II, Puzhal, with specialized medical treatment, including a comprehensive evaluation and appropriate medical monitoring by a Cardiologist and a Diabetologist and consequently, forbearing the Respondents from subjecting the Petitioner's son Shankar @ Savukku Shankar to any further custodial harassment prejudicial to his health.

For Petitioner in
both petitions : Mr.G.Purushothaman
For Mr.L.Christopher

For Respondents in
both petitions : Mr.R.Muniyapparaj
Additional Public Prosecutor
Assisted by
Mr.M.Sylvester John
Advocate



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COMMON ORDER

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P.VELMURUGAN, J.

Both the Writ Petition in W.P.No.1791 of 2025 and the Habeas Corpus Petition in H.C.P.No.2754 of 2025 have been filed by the petitioner, who is the mother of the detenu, namely A.Shankar @ Savukku Shankar. Since both matters arise out of the same set of facts and relate to the custody, treatment and conditions of confinement of the detenu, they are interlinked and were therefore taken up together for hearing and are being disposed of by this common order.

2. The Writ Petition in W.P.No.1791 of 2025 has been filed seeking the issuance of a Writ of Mandamus directing the respondents to provide the petitioner's son, namely A.Shankar @ Savukku Shankar (PID No.450607), who is presently confined in Central Prison-II, Puzhal, with specialised medical treatment including comprehensive medical evaluation and appropriate monitoring by specialists such as a Cardiologist and a Diabetologist, and consequently forbearing the respondents from subjecting him to any custodial harassment prejudicial to his health.



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3. The Habeas Corpus Petition in H.C.P.No.2754 of 2025 has been filed seeking a direction forbearing the third respondent prison authorities from isolating the petitioner's son from other inmates and from subjecting him to solitary confinement in Central Prison-II, Puzhal, Chennai.

4. The case of the petitioner, as set out in the affidavits filed in support of the petitions, is that the detenu is a journalist engaged in running a digital media platform and has been actively involved in reporting and commenting on various issues of public importance. According to the petitioner, several criminal cases have been registered against her son. He was arrested in connection with Crime No.519 of 2025 on the file of J1 Saidapet Police Station for the alleged offences punishable under Sections 296(b), 353(1)(c), 308(5), 61(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 (in short, "BNS"), and was subsequently remanded to judicial custody.

5. It is the further case of the petitioner that the detenu has been suffering from various health ailments including cardiac complications,

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diabetes and hypertension, and requires continuous medical monitoring and

specialised treatment. On the said grounds, the petitioner approached this Court by filing the present Writ Petition seeking appropriate directions for providing specialised medical treatment to the detenu and also filed the Habeas Corpus Petition complaining about the manner in which the detenu was allegedly being kept in isolation within the prison.

6. During the pendency of the above petitions, the petitioner filed W.P.M.P.(CrI.)No.839 of 2025 seeking interim bail for the detenu for the purpose of undergoing necessary medical treatment. Considering the submissions made and taking note of the medical condition projected by the petitioner, a Division Bench of this Court, by order dated 26.12.2025, granted interim bail to the detenu for a limited period subject to certain conditions.

7. Subsequently, the State filed W.P.M.P.(CrI.)No.14 of 2026 seeking cancellation of the interim bail granted to the detenu on the ground that the detenu had violated the conditions imposed by this Court while granting

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interim bail and had also interfered with the investigation. The said petition for cancellation of interim bail was heard by this Court and was disposed of by issuing certain directions.

8. While disposing of the said petition for cancellation of bail, this Court took note of the rival submissions made by the parties with regard to the medical condition of the detenu and the necessity for specialised medical treatment. In order to ascertain the actual medical condition of the detenu and to ensure that appropriate medical care is provided, this Court directed that the detenu be examined by a Medical Board constituted by a Government Hospital and that a report be submitted before this Court regarding the health condition of the detenu.

9. Aggrieved by the directions issued by this Court with regard to the appearance of the detenu before the Medical Board, the detenu approached the Hon'ble Supreme Court challenging the said directions. The Hon'ble Supreme Court, however, dismissed the challenge and did not interfere with the order passed by this Court.

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10. At the same time, the detenu also filed a Review Application before this Court seeking reconsideration of the directions issued in the order relating to the examination by the Medical Board. In the meantime, in compliance with the directions issued by this Court and in view of the dismissal of the proceedings before the Hon'ble Supreme Court, the detenu appeared before the Medical Board constituted by the Government Hospital. The Medical Board examined the detenu and thereafter submitted its report before this Court regarding the medical condition of the detenu.

11. In view of the above developments and upon receipt of the report of the Medical Board, these matters were taken up for final hearing. Since both the Writ Petition in W.P.No.1791 of 2025 and the Habeas Corpus Petition in H.C.P.No.2754 of 2025 arise out of the same factual background and relate to issues concerning the custody and medical treatment of the detenu, they were heard together.



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WEB COPY 12. The pleadings in both the petitions, the materials placed on record, the submissions made on either side, the earlier orders passed by this Court including the order granting interim bail, the order passed in the petition seeking cancellation of bail, the proceedings before the Hon'ble Supreme Court and the report submitted by the Medical Board have all been taken into consideration while hearing the present matters.

13. Thus, taking note of the entire sequence of events and the compliance with the directions issued by this Court, the matters are taken up together for consideration and disposal by this common order.

14. The learned counsel appearing for the petitioner would submit that during the pendency of the petitions, interim bail was granted to the detenu by this Court. However, the State subsequently filed a petition seeking cancellation of the interim bail alleging violation of the conditions imposed by this Court. The learned counsel would further submit that while considering the petition for cancellation of bail, this Court issued directions

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requiring the detenu to appear before a Medical Board so that his medical

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condition could be assessed by a panel of experts. The said direction was challenged by the detenu before the Hon'ble Supreme Court; however, the Hon'ble Supreme Court dismissed the challenge and did not interfere with the directions issued by this Court. It is submitted that thereafter, in compliance with the directions issued by this Court, the detenu appeared before the Medical Board and the Medical Board has examined him and submitted its report before this Court.

15. The learned counsel appearing for the petitioner would submit that, in so far as W.P.No.1791 of 2025 is concerned, the grievance of the petitioner primarily relates to the medical condition of the detenu and the necessity to ensure that he is provided with proper and specialised medical treatment while he is in judicial custody. According to the learned counsel, the detenu has been suffering from certain health complications which require continuous medical supervision and treatment by specialised doctors. It is submitted that the detenu requires periodical consultation with specialists such as a Cardiologist and a Diabetologist and that his health condition requires regular monitoring. The learned counsel would submit

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that the medical facilities available within the prison may not be adequate to

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address the specific medical needs of the detenu and therefore appropriate directions are necessary to ensure that he receives proper and specialised medical care. In particular, the Medical Board has noted that the detenu is a patient with coronary stent implantation, with no new lesion progression, but remains strongly positive for inducible ischemia on treadmill testing, thereby necessitating continuous medical management and monitoring.

16. In so far as H.C.P.No.2754 of 2025 is concerned, the learned counsel appearing for the petitioner would submit that the grievance raised in the habeas corpus petition relates to the alleged isolation of the detenu within the prison. It is submitted that the detenu was kept separately from other inmates and was not permitted normal interaction with them, which according to the petitioner amounts to solitary confinement. The learned counsel would submit that solitary confinement cannot be imposed except in accordance with the procedure established by law and in the manner provided under the relevant statutory provisions and prison rules. It is contended that, in the absence of any lawful order authorising such confinement, the act of keeping the detenu in isolation would be arbitrary

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and impermissible. Thus, both the medical concerns and the unlawful

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isolation form the core of the petitioner's grievance, and the interim bail already granted ought not to be disturbed.

17. Per contra, the learned Additional Public Prosecutor appearing for the respondents would submit that the allegations made by the petitioner are unfounded. It is submitted that the prison authorities have been providing the necessary medical care and treatment to the detenu and that his health condition has been periodically monitored by the medical officers attached to the prison. It is further submitted that, pursuant to the directions issued by this Court in the proceedings relating to cancellation of interim bail, the detenu appeared before the Medical Board constituted by a Government Hospital and the Medical Board has examined him and submitted its report before this Court.

18. The learned Additional Public Prosecutor would further submit that the detenu has not been subjected to any punitive solitary confinement as alleged by the petitioner. According to the learned Additional Public



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Prosecutor, the prison authorities have been regulating the placement and

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movement of inmates strictly in accordance with the provisions of the prison rules and the requirements of prison administration. It is therefore submitted that there has been no violation of the rights of the detenu and that the respondents have acted in accordance with law. The learned Additional Public Prosecutor would therefore submit that the petitions do not warrant any further directions from this Court.

19. This Court has carefully considered the submissions made by the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents. The pleadings in both the petitions, the materials placed on record, the earlier orders passed by this Court, and the report submitted by the Medical Board pursuant to the directions issued by this Court have also been perused.

20. The learned counsel appearing for the petitioner would submit that the detenu has been suffering from various medical ailments including cardiac complications, diabetes and hypertension and that he requires

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continuous monitoring and treatment by specialised doctors. It is the

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contention of the petitioner that adequate medical facilities may not be available within the prison and therefore appropriate directions may be issued to ensure that the detenu receives specialised medical treatment.

21. In so far as the Habeas Corpus Petition is concerned, the learned counsel appearing for the petitioner would contend that the detenu was allegedly kept in isolation inside the prison and was not permitted normal interaction with other inmates. According to the petitioner, such isolation amounts to solitary confinement, which cannot be imposed except in accordance with the procedure established by law.

22. Per contra, the learned Additional Public Prosecutor appearing for the respondents would submit that the allegations made by the petitioner are wholly unfounded. It is submitted that the detenu has not been subjected to any solitary confinement and that the prison authorities have regulated his placement and movement strictly in accordance with the prison rules and administrative requirements. It is further submitted that adequate medical



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care has been provided to the detenu and that the respondents have acted

strictly in accordance with law.

23. When the Habeas Corpus Petition as well as the Writ Petition were taken up for hearing, this Court, by a common order, taking note of the medical grounds projected on behalf of the petitioner, granted interim bail to the detenu for a limited period so as to enable him to undergo medical evaluation and treatment.

24. Subsequently, the State filed a petition seeking cancellation of the interim bail granted to the detenu on the ground that he had violated the conditions imposed by this Court and had interfered with the course of investigation. While considering the said petition, this Court deemed it appropriate to ascertain the actual medical condition of the detenu and therefore directed that the detenu be examined by a Medical Board constituted by a Government Hospital.



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WEB COPY 25. The said direction was challenged before the Hon'ble Supreme Court. However, the Hon'ble Supreme Court declined to interfere with the order passed by this Court. Thereafter, in compliance with the directions issued by this Court, the detenu appeared before the Medical Board and was examined by the panel of doctors.

26. The Medical Board thereafter submitted its report before this Court. At this juncture, it would be useful to refer to the conclusion arrived at by the Medical Board, which reads as follows:-

"Based on the available records, history from Mr.A.Shankar, clinical examination and investigations, the board opines that Mr.A.Shankar, suffers from chronic medical ailments Type 2 Diabetes Mellitus, Sytemic Hypertension, Coronary Artery Disease (status post drug eluting stent). He requires no active cardiac intervention at present. His general condition is stable with cardiac and diabetes medications. He needs to continue optimal medical management along with lifestyle modification."

A perusal of the above report indicates that though the detenu has a history of coronary stent implantation and certain associated medical conditions, the Medical Board has not indicated that any immediate specialised treatment or

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hospitalisation is required at present and has opined that his condition can be

managed through regular medical monitoring and follow-up.

27. It has also been brought to the notice of this Court that during the period when interim bail was in force, the detenu had been actively participating in media interactions and public commentary. The respondents have further alleged that the detenu had interfered with and attempted to influence the course of investigation, which led the State to seek cancellation of the interim bail granted by this Court.

28. This Court cannot also lose sight of the fact that several criminal cases have been registered against the detenu and that the allegations made therein are stated to be serious in nature. The investigation in those cases is stated to be in progress and the investigating agency must be permitted to proceed in accordance with law without any obstruction.

29. In so far as the allegation relating to solitary confinement is concerned, this Court finds that the pleadings in the Habeas Corpus Petition

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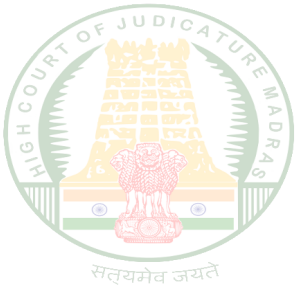
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are not substantiated by any material evidence. Apart from making a bald

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allegation that the detenu was kept in isolation, no document or material has been produced before this Court to establish that the detenu was subjected to punitive solitary confinement in violation of the prison rules. On the contrary, the materials placed before this Court and the subsequent conduct of the detenu indicate that the present proceedings have been initiated primarily with a view to evade the course of investigation and the due process of law. Therefore, this Court finds no merit in the allegation relating to solitary confinement.

30. In so far as the relief sought in the Writ Petition relating to specialised medical treatment is concerned, the very basis of the petition was the alleged urgent need for such treatment. However, in view of the report submitted by the Medical Board and the subsequent developments noticed by this Court, it is evident that no immediate specialised treatment requiring hospitalisation has been recommended at present.



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31. In view of the above circumstances, this Court is of the opinion

that the grievance raised in the writ petition does not survive for further consideration, as the developments that have taken place during the pendency of the proceedings, particularly the report of the Medical Board, indicate that no immediate specialised treatment is required at present.

32. Nevertheless, having regard to the medical history of the detenu as reflected in the report of the Medical Board, this Court considers it appropriate to ensure that adequate medical care is made available to the detenu if and when required.

33. In view of the subsequent developments that have taken place during the pendency of these proceedings, particularly the report of the Medical Board indicating that no immediate specialised treatment is required at present, this Court is of the view that the interim relief earlier granted on medical grounds does not warrant any further continuation. Accordingly, it is open to the investigating agency to proceed further in accordance with law in connection with the pending criminal cases and, if the custody of the son

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of the petitioner/detenu is considered necessary for the purpose of

investigation, the respondents are at liberty to take appropriate steps in accordance with law. Having regard to the medical history of the detenu, it is further directed that if any medical necessity arises during the course of his custody, the authorities concerned shall ensure that he is taken to appropriate Government hospitals equipped with specialised medical facilities, such as the Rajiv Gandhi Government General Hospital, Chennai, or the Government Multi Super Speciality Hospital, Omandurar Estate, Chennai, which have the necessary medical infrastructure and specialised departments to provide appropriate treatment.

34. For all the above reasons, this Court finds no merit in the Habeas Corpus Petition and the same is liable to be dismissed. In so far as the Writ Petition is concerned, in view of the report of the Medical Board and the subsequent developments, the relief sought therein has become infructuous.



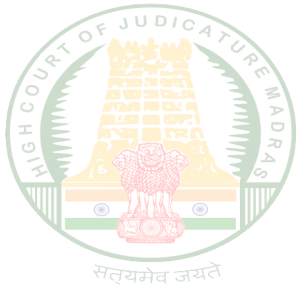
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WEB COPY 35. Accordingly, the Habeas Corpus Petition in H.C.P.No.2754 of 2025 stands dismissed and the Writ Petition in W.P.No.1791 of 2025 stands disposed of, with the observations made above. Consequently, connected miscellaneous petitions are closed.

[P.V.J.] [M.J.R.J.,]
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Speaking Order
Neutral Citation case: Yes

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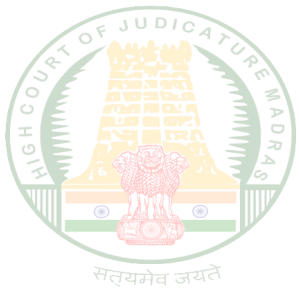


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To

1. The Inspector of Police,
J1-Saidapet Police Station,
Chennai. (Crime No.519 of 2025)
2. The Inspector of Police,
S8-Adambakkam Police Station,
Chennai. (Crime No.377 of 2025)
3. The Superintendent of Prison,
Puzhal Central Prison-II,
Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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and
M.JOTHIRAMAN, J.

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Pre-Delivery Order in
H.C.P.No.2754 of 2025 &
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