

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.29627 of 2015

L.Roopa Mondal

... Petitioner

Vs

State by

1. The Inspector of Police,
B.1 Town Central Police Station,
Ooty, Nilgiris District.
(Cr.No.422 of 2015)

2. The Superintendent,
Government Vigilance Home/
Government Protective Home,
Chenganur, Coimbatore.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the first respondent police to produce the C.D.file of the Crime No.422 of 2015 and order the second respondent to produce the petitioner before this Court and to set her at liberty.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.C.Emalias

Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct the first respondent police to produce the C.D.file of the Crime No.422 of 2015 and order the second respondent to produce the petitioner before this Court and to set her at liberty.

2. The petitioner was searching for a suitable job at Kolkatta through Agent. The said Agent informed the petitioner that a suitable job is available at Ooty, Tamilnadu and he brought her to Ooty and asked her to stay at Casino Lodge at Ooty. Thereafter, the said agent and his friends insisted the petitioner to indulge in prostitution. When the petitioner refused for the same, she was detained in the lodge. On 23.05.2015, the first respondent police came and rescued the petitioner and produced her before the learned Judicial Magistrate, Ooty. As per the orders of the learned Judicial

Magistrate, the petitioner was handed over to the second respondent by the first respondent. From 24.5.2015 onwards, the petitioner is in the custody of the second respondent.

3. When the petitioner's sister came to know about this, she came to Ooty and she filed a petition before the learned Judicial Magistrate, Ooty, seeking custody of the petitioner and the said petition is still pending. In the meanwhile, the petitioner came to understand that the first respondent had filed charge sheet as against the petitioner as well as the broker. Hence the petitioner has come forward with the present petition.

4. When this petition came up before this court on 05.1.2016, the learned counsel for the petitioner submitted that if a specific date is fixed, he will bring the parents or sister or brother or other blood relatives of the petitioner before this Court and the matter was posted to 20.1.2016. On 20.1.2016, none of the blood relatives of the petitioner appeared before this Court. Therefore, the matter was adjourned to today.

5. Today, when the matter was taken up, the brother of the petitioner, viz., Sandhip Mondal is present. But, I am of the opinion that, since the petition filed by the petitioner is pending before the learned Judicial Magistrate, Ooty, it would be to appropriate to direct the learned Judicial Magistrate, Ooty to consider the application of the petitioner and pass an appropriate order with regard to setting the petitioner at liberty.

6. Hence, this Court directs the learned Judicial Magistrate, Ooty to dispose of the C.M.P.No.7201 of 2015 and pass appropriate order by enquiring Sandip Mondal, the brother of the petitioner, within a period of four weeks from the date of receipt of a copy of this Order.

7. Accordingly, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

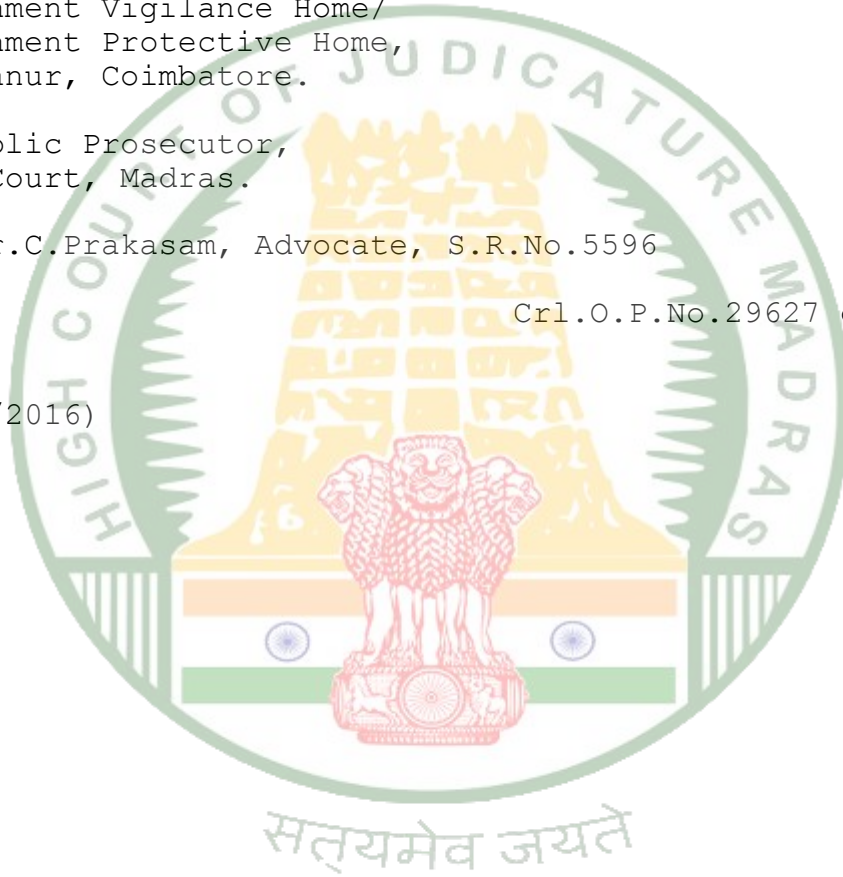
To

1. The Judicial Magistrate,
Ooty.
2. The Inspector of Police,
B.1 Town Central Police Station,
Ooty, Nilgiris District.
(Cr.No.422 of 2015)
3. The Superintendent,
Government Vigilance Home/
Government Protective Home,
Chengalur, Coimbatore.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.Prakasam, Advocate, S.R.No.5596

Cr1.O.P.No.29627 of 2015

ad(CO)
srg(09/02/2016)



WEB COPY