

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.29421 of 2018

Wunganing Kashung

... Petitioner

Vs.

1.The Inspector of Police,
AVS-II, Chennai - 600 002.

2.The Chief Probation Superintendent,
The Office of Chief Probation Office,
CMDA Tower - II, 2nd Floor,
Egmore, Chennai.

3.The Superintendent,
Government Home for Woman,
Mylapore, Chennai - 600 004.

4.Chihanphy alias Siliva Kashung

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to direct the 2nd respondent to file a report pertaining to the detention of the detainee by name Chihaanphy alias Siliva Kashung and in pursuance direct the IVth Metropolitan Magistrate, Saidapet, Chennai to dispose of the unnumbered Cr1.M.P. No. Nil of 2018 in Crime No.49 of 2018 as expeditiously.

For Petitioner : Mr.N.Edwin Jeyakumar

For Respondents : Mr.M.Mohamed Riyaz

Additional Public Prosecutor for R1 to R3

ORDER

This petition has been filed by the brother of the fourth respondent.

2.It is the case of the petitioner that his sister came to Chennai for employment and worked in Grotto Beauty Parlour at Vadapalani, Chennai. On 01.11.2018, the first respondent police

have registered a case against the owner of the said beauty parlour in Crime No.49 of 2018, for an offence under Sections 3 (2) (a), 4(1) and 5(1)a of Immoral Traffic Prevention Act. The fourth respondent has been branded as victim and has been kept in a home run by the third respondent for more than one month. In spite of best efforts, made by the petitioner, the fourth respondent is not being released from the home on the ground that the P.O. Report has not been submitted before the Court till date. It is also seen that the accused person in the above case has already been enlarged on bail.

3.This Court under similar circumstances had directed the release of the detainees from the home by an order dated 20.11.2018 made in Crl.O.P. Nos.27063 and 27064 of 2018.

4.Considering the facts and circumstances of the case, this Court is inclined to direct the third respondent to immediately release the fourth respondent from Government Home for Woman, Mylapore. The petitioner before taking the fourth respondent from home shall produce the necessary evidence to show his relationship with the fourth respondent. The fourth respondent on being released from the home, shall stay at Chennai and report before the learned Metropolitan Magistrate No.IV, Saidapet, once in a week on Monday at 10.30 a.m. till the P.O. Report is submitted before the concerned Court.

5.This Criminal Original Petition is disposed with the above directions.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

- 1.The Inspector of Police,
AVS-II, Chennai - 600 002.
- 2.The Chief Probation Superintendent,
The Office of Chief Probation Office,
CMDA Tower - II, 2nd Floor, Egmore, Chennai.
- 3.The Superintendent,
Government Home for Woman,
Mylapore, Chennai - 600 004.

4.The Public Prosecutor,
High Court of Madras, Madras.

5.The Metropolitan Magistrate No.IV,
Saidapet, Chennai.

+1cc to Mr.N.Edwin Jeyakumar, Advocate, S.R.No.87626

CrI.O.P.No.29421 of 2018

GSP (18/12/2018)



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