

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2019

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.1365 of 2019
and
Crl.M.P.No.896 of 2019

B.A.Purushothaman

... Petitioner

Vs.

- 1.The Inspector of Police,
R-9, Valasaravakkam Police Station,
Chennai.
- 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.Radha

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent to file a report pertaining to the detention of the detenue by name Radha and in pursuance direct the Judicial Magistrate-I, Poonamallee to dispose of Crl.M.P.No.276 of 2019 in Crime No.9 of 2019 as expeditiously.

For Petitioner : Mr.N.Edwin Jeyakumar

For R1 to R3 : Mr.M.Mohamed Riyaz,
Additional Public

Prosecutor

O R D E R

This petition has been filed by the husband of the detenue seeking for release of the detenue, who is now detained before the third respondent Government Home for Woman.

2.The first respondent registered an FIR in Crime No.9 of 2019 for an offence under Sections 3(1), 2(a), 4(1) and 5(1) (a) of Immoral Traffic Prevention Act. The petitioner's wife namely Radha was before the learned Judicial Magistrate No.I, Poonamallee, showing her as a victim and she was detained in the home on 07.01.2019.

3.The learned counsel for the petitioner submitted that the petitioner filed a petition before the Court below seeking for the release of his wife and the same is kept pending on the ground that the P.O report is yet to be filed before the Court. Aggrieved by the same, the present petition has been filed before this Court.

4.The learned counsel for the petitioner brought to the notice of this Court the earlier order passed by this Court in CrI.O.P.Nos.29428 & 30712 of 2018, dated 18.12.2018 and 02.01.2019, wherein this Court has dealt with an issue of similar nature.

5.Taking into consideration the earlier order passed by this Court and also the facts and circumstances of this case, this Court is inclined to direct the 3rd respondent to immediately release the 4th respondent from the Government Home for woman, Mylapore. The petitioner before taking his wife namely the 4th respondent from the home, shall produce necessary evidence to show his relationship with the 4th respondent. The 4th respondent on being released from the home, shall stay at Chennai and report before the learned Judicial Magistrate No.I, Poonamallee, once in a week on Monday at 10.30 a.m., till the P.O report is submitted before the Court.

6 This Criminal Original Petition is disposed of, with the above direction. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ia/dss

To

1.The learned Judicial Magistrate No.I,
Poonamallee.

2.The Inspector of Police,
R-9, Valasaravakkam Police Station,
Chennai.

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

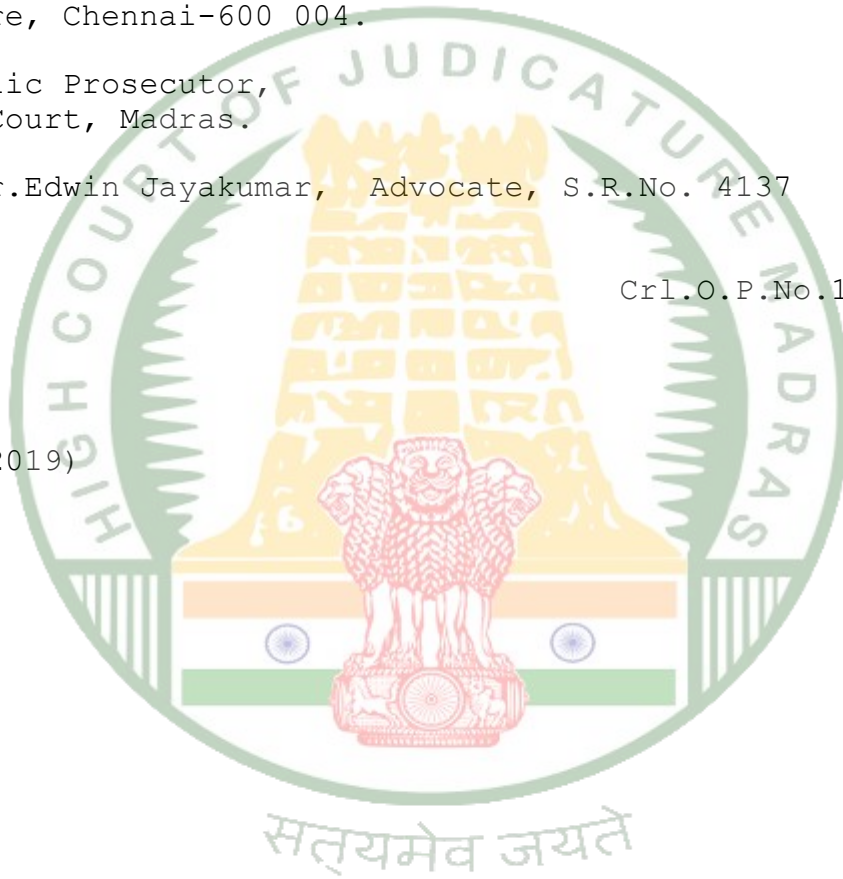
4.The Superintendent,
Government Home for Woman,
Mylapore, Chennai-600 004.

5.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Edwin Jayakumar, Advocate, S.R.No. 4137

Crl.O.P.No.1365 of 2019

GN(22/01/2019)



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