

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 22.01.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.1503 of 2019
and Crl.M.P.No.970 of 2019

Sandhya Patra

... 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. Babita Patra ... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to grant a general direction directing the 2nd respondent to file a report pertaining to the detention of the detainee by name Babita Patra and in pursuance direct the Judicial Magistrate-I, Poonamalle to dispose of Crl.M.P.No.323 of 2019 in Crime No.15 of 2019 as expeditiously.

For Petitioner : Mr.N.Edwin Jeyakumar
For R1 to R3 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed by the mother of the detainee seeking for release of the detainee, who is now detained before the 3rd respondent Government Home for Woman.

2. The first respondent registered an FIR in Crime No.15 of 2019 for the offences under Section 3(2)(a), 4(1) and 5(1)(a) of Immoral Traffic Prevention Act. The petitioner's daughter namely Babita Patra was produced before the Judicial Magistrate-I, Poonamalle showing her as a victim and she was detained in the home on 10.01.2019.

3. The learned counsel for the petitioner submitted that the petitioner filed a petition before the Court below seeking for the release of her daughter 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 her daughter namely the 4th respondent from the home, shall produce necessary evidence to show her relationship with the 4th respondent. The 4th respondent on being released from the home, shall stay at Chennai and report before the Judicial Magistrate-I, Poonamalle, 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 (CS)

//True Copy//

Sub Assistant Registrar

ssr/kal

To

- 1.The Judicial Magistrate-I, Poonamalle
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.

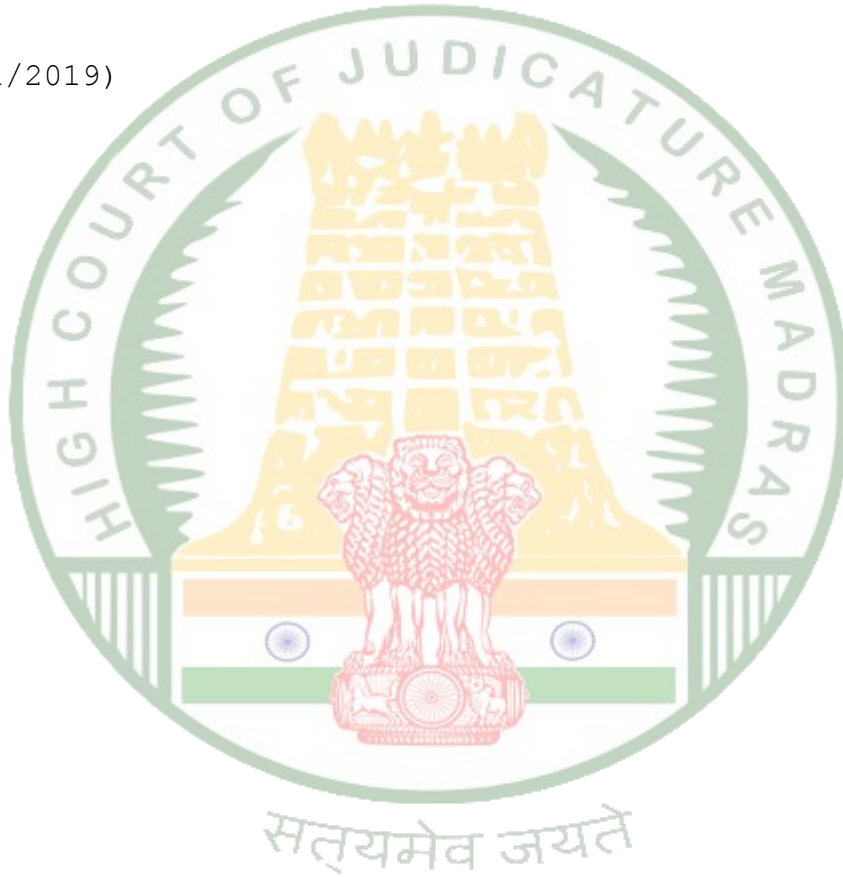
4. The Superintendent,
Government Home for Woman,
Mylapore, Chennai - 600 004.

5. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.N.Edwin Jeyakumar , Advocate SR.No. 4419

CrI.O.P.No.1503 of 2019
and CrI.M.P.No.970 of 2019

A.SK(22/01/2019)



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