

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 01.02.2019

CORAM
THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.2779 of 2019
and Crl.M.P.No1807 of 2019

Ajinkya Ashok Nagdawane,
S/o.Ashok Nagdawane,
Plot No.115, Shyam Nagar,
Navin Nagar Road, Near Sunil Plan Palace,
Pardi, Nagpur,
Maharastra State-440035.

... Petitioner

Vs.

1.The Inspector of Police,
R-9, Valarasaravakkam 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.Sapana Prashant Chamke

... 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 detainee by name Sapana Prashant Chamke and in pursuance direct the Judicial Magistrate - I, Poonamallee to dispose of Crl.M.P.No.Not Known of 2019 in Crime No.509 of 2019 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 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.509 of 2019 for the offences under Sections 3(2)(a), 4(1) and 5(1)(a) of Immoral Traffic Prevention Act. The petitioner is the cousin brother of the fourth respondent, namely Sapana Prashant Chamke was produced before the Judicial Magistrate - I, Poonamallee, showing her as a victim and she was detained in the home on 22.01.2018.

3 The learned counsel for the petitioner submitted that the petitioner filed a petition in CrI.M.P.No.Not Known of 2019 before the Court below seeking for the release of the petitioner's sister 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 this Court in CrI.O.P.No.29428 of 2018, dated 18.12.2018, 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 sister 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 Judicial Magistrate-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(CS III)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Judicial Magistrate No.1,
Poonamallee.
- 2.The Inspector of Police,
R-9, Valarasaravakkam Police Station,
Chennai.

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

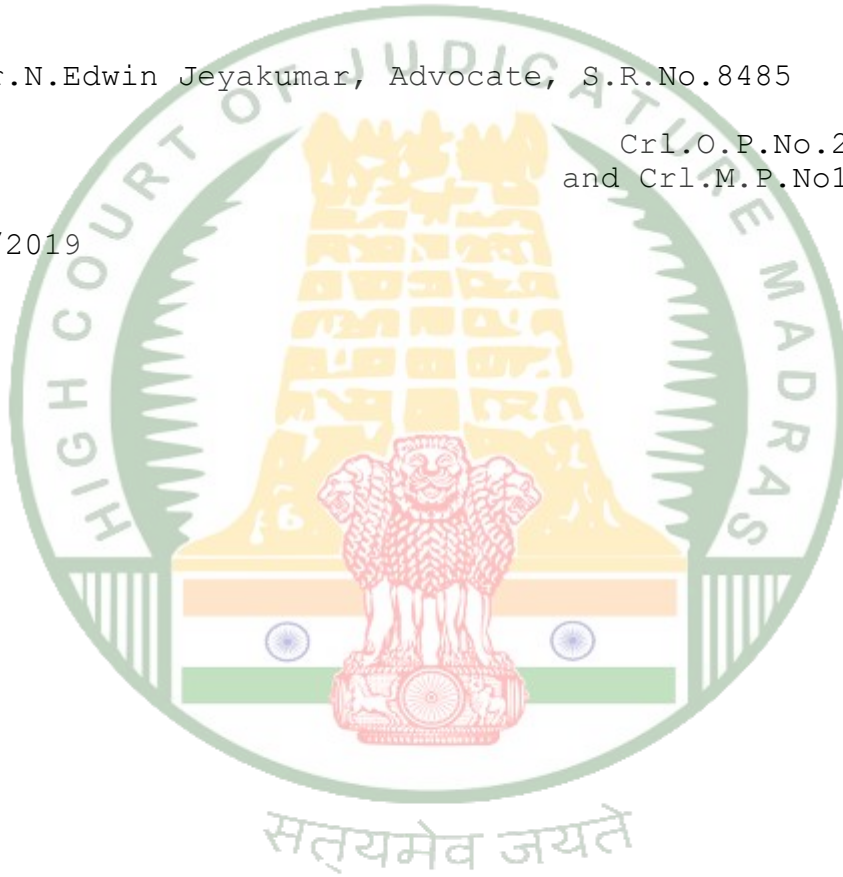
4.The Superintendent.
Government Home for Woman,
Mylapore, Chennai-600 004.

5.The Public Prosecutor,
High Court of Madras,
Chennai.

+1cc to Mr.N.Edwin Jeyakumar, Advocate, S.R.No.8485

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rrs 01/02/2019



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