

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.2943 of 2019
and Crl.M.P.No.1963 of 2019

Saraswati Mistry,

... Petitioner

Vs.

1. Inspector of Police,
Anti Vice Squad-I, Chindadripet,
Chennai.
(Crime No.2 of 2019)
2. The Chief Probation Superintendent,
The Office of Chief Probation Office,
CMDA Tower-II, 2nd Floor,
Egmore, Chennai.
3. The Superintendent,
Government Home for Women,
Mylapore, Chennai - 600 004.
4. Nitu Mistry

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to grant a general direction directing the 2nd respondent to file a report pertaining to the detention of the detinue by name NITU MISTRY and in pursuance direct the IV Metropolitan Magistrate, Saidapet, Chennai to dispose the Crl.M.P.No. Not Known of 2019 in Crime No.2 of 2019 on the file of 1st Respondent as expeditiously.

For Petitioner : Mr.S.Sasikumar
For Respondents : Mr.M.Mohamed Riyaz,
1 to 3 Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to grant a general direction directing the 2nd respondent to file a report pertaining to the detention of the detinue by name NITU MISTRY and in pursuance direct the IV Metropolitan Magistrate, Saidapet, Chennai to dispose the Crl.M.P.No. Not Known of 2019 in

Crime No.2 of 2019 on the file of 1st Respondent as expeditiously.

2. The first respondent registered an FIR in Crime No.2 of 2019 for the offences under Sections 3(2)(a), 4(1) and 5(1)(a) of Immoral Traffic Prevention Act. The petitioner's daughter namely Nitu Mistry was produced before the learned IV Metropolitan Magistrate, Saidapet, Chennai showing her as a victim and she was detained in the home.

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 his 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 learned IV Metropolitan Magistrate, Saidapet, Chennai, 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(CCC)

//True Copy//

Sub Assistant Registrar

To

1.Inspector of Police,
Anti Vice Squad-I, Chindadripet,
Chennai.

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

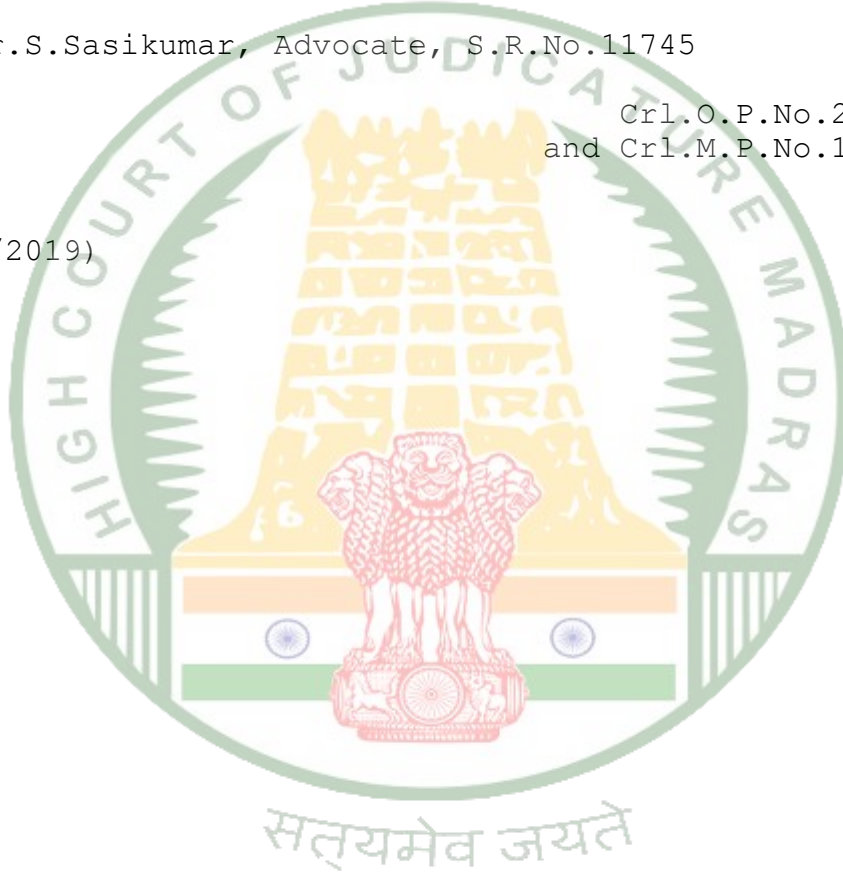
3.The Superintendent,
Government Home for Women,
Mylapore, Chennai - 600 004.

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

+1cc to Mr.S.Sasikumar, Advocate, S.R.No.11745

CrI.O.P.No.2943 of 2019
and CrI.M.P.No.1963 of 2019

GSP(12/02/2019)



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