

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED: 15.02.2019

CORAM:  
THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.4124 of 2019

Mrs.S.Ramu

... Petitioner

Vs.

State rep. by  
Inspector of Police,  
AVS Wing-I, Chennai.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for all records of order dated 10.10.2018 in Cr.M.P.No.1765 of 2018 in AVS Cr.No.104 of 2018 passed by the Learned IV Metropolitan Magistrate at Saidapet, Chennai and set aside the same.

For Petitioners : Mr.M.Anandaraaj

For Respondent : Mr.Mohamed Riyaz,  
Additional Public Prosecutor.

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O R D E R

This petition has been filed seeking to quash the order dated 10.10.2018 made in Cr.M.P.No.1765 of 2018 in AVS Cr.No.104 of 2018 by the Learned IV Metropolitan Magistrate at Saidapet, Chennai.

2.The case of the prosecution is that 04.09.2018, during a search conducted at No.12, New Kumaran Nagar, 11<sup>th</sup> Street, Shozinganallore, Chennai, the Inspector of Police, AVS Wing, Chennai, rescued the victim Srimathi @ Valli, u/s15 of ITP Act and registered a case in Cr.No.104 of 2018 under Sections 3(2)a, 4(1), 5(1)(a), 6(1) and 7(1) of ITP Act and produced before IV Metropolitan Magistrate, Saidapet, Chennai, wherein the learned Magistrate ordered to accommodate the victim in interim safe custody at Government Vigilance Home, Mylapore, Chennai. Thereafter, on detailed enquiry of the petitioner, she accepted that she was involved in immoral trafficking and also expressed her opinion to rejoin her family. Whiles o, the prosecution proved that the victim has already been given a chance to lead a peaceful life with her children, but she has not changed her activities. Considering the previous antecedents, the learned Magistrate has directed to take necessary steps through the Nodal officer, Anti Traffic Wing/NGO under Ujjawala

Scheme/registered NGO engaged in Social Service for Women & Child, as the case may, to reintegrate the victim with the person of her choice, by getting necessary permission from this Court. The present petition has been filed seeking to quash the above said order.

3.The learned Additional Public Prosecutor would submit that as against the order passed by the learned IV Metropolitan Magistrate, Saidapet, Chennai, under Section 17(2) of ITP Act, this petition is not maintainable in view of Section 17(4) of the ITP Act.

4.In view of the above, this Court is not inclined to entertain this petition, accordingly, the Criminal Original Petition is dismissed. However, liberty is given to the petitioner to file an appeal challenging the order passed by the IV Metropolitan Magistrate, Saidapet, Chennai on 10.10.2018. Registry is directed to return the original copy of the order after getting necessary attested copies and signature, to enable the petitioner to file an appeal.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,  
AVS Wing-I,  
Chennai.

2.The Metropolitan Magistrate,  
IV<sup>th</sup> Metropolitan Magistrate Court,  
Saidapet, Chennai.

3.The Public Prosecutor,  
High Court, Madras.

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RSV(CO)

rrs 27/03/2019