

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 14.02.2019

CORAM
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.4023 of 2019
and
Crl.M.P.No.2472 of 2019

Eliass Khan

... Petitioner

Vs.

1.The Inspector of Police,
Aniti Vice Squard-I,
Chennai.

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

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

4.Rejiya Shak

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to pass an order for direction directing the 2nd respondent to file a report pertaining to the detention of the detune by name Rejiya Shak and in pursuance direct the Judicial Magistrate No.1, Poonamallee to dispose the C.M.P.No.808 of 2019 in Crime No.4 of 2019 as expeditiously.

For Petitioner : Mr.S.Sarathi Chandran

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original petition is filed under Section 482 of Cr.P.C, to pass an order for direction directing the 2nd respondent to file a report pertaining to the detention of the detune by name Rejiya Shak and in pursuance direct the Judicial Magistrate No.1, Poonamallee to dispose the C.M.P.No.808 of 2019 in Crime No.4 of 2019 as expeditiously.

2.This petition has been filed by the husband of the detenue seeking for release of the detenue / 4th respondent, who is now detained before the 3rd respondent i.e. the Government Home for woman, Mylapore and handover to the petitioner.

2.The first respondent registered an FIR in Crime No.4 of 2019 for the offences under Section 3(2)(a), 4(1) and 5(1)(a) of Immoral Traffic Prevention Act. The petitioner's wife namely Raija Shak was produced before the Judicial Magistrate-I, Poonamalle 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 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 Crl.O.P.Nos.1510 of 2019, 30712 and 29428 of 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 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 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

//True Copy//

Sub Assistant Registrar

vsn

To

1.The Inspector of Police,
Aniti Vice Squard-I,
Chennai.

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

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

4.The Public Prosecutor,
High Court, Madras.

5.The Judicial Magistrate I,
Poonamallee.

+1cc to Mr.S.Sarathi Chandran, Advocate, S.R.No.13550

CrI.O.P.No.4023 of 2019
and
CrI.M.P.No.2472 of 2019

NM(CO)

rrs 15/02/2019



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