

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.5667 of 2019

and

Crl.M.P.No.3227 of 2019

Rekha Shaik

... Petitioner

Vs

1.State by
The Inspector of Police,
K1, Sembium Police Station,
Chennai.

2.The Chief Probation Superintendent,
The Office of Chief Probation Office,
CMDA Tower - II, 2nd Floor,
Egmore, Chennai-600 008.

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

4.Jorina @ Jorina Sheikh

...Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to grant a general direction directing the 2nd respondent to file a report pertaining to the detention of the detainee by name Jorina @ Jorina Sheikh and in pursuance direct the IV Metropolitan Magistrate, Saidapet, Chennai to dispose of Crl.M.P.No. Not Known of 2018 in Crime No.1162 of 2019 as expeditiously.

For Petitioner : Mr.M.Anandraj

For R1 to R3 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed by the cousin sister 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.1162 of 2019 for the offences under Section 3(2)(a), 4(1) & 5(1)(a) of Immoral Traffic Prevention Act, 1956. The petitioner's cousin sister namely Jorina @ Jorina Sheikh was produced before the IV Metropolitan Magistrate, Saidapet, Chennai showing her as a victim and she was detained in the home on 27.10.2018.

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 cousin 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 by this Court in CrI.O.P.Nos.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 her cousin sister 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 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 (CS-VIII)

//True copy//

Sub Assistant Registrar

kas/ssr

To

1.The IV Metropolitan Magistrate,
Saidapet, Chennai.

2.The Inspector of Police,
K1, Sembium Police Station,
Chennai.

3.The Chief Probation Superintendent,
The Office of Chief Probation Office,
CMDA Tower - II, 2nd Floor,
Egmore, Chennai-600 008.

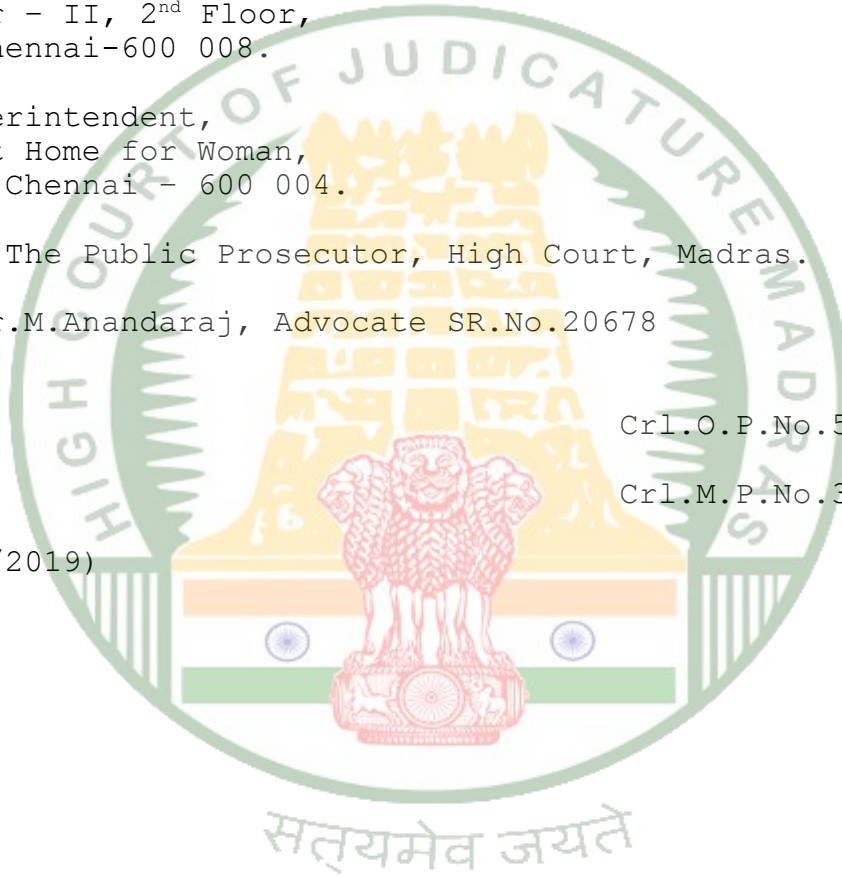
4.The Superintendent,
Government Home for Woman,
Mylapore, Chennai- 600 004.

Copy To : The Public Prosecutor, High Court, Madras.

+1cc to Mr.M.Anandaraj, Advocate SR.No.20678

Crl.O.P.No.5667 of 2019
and
Crl.M.P.No.3227 of 2019

VG I (CO)
GMY (08/03/2019)



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