

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 03.04.2019

CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.8949 of 2019
and Crl.M.P.No.4772 of 2019

Devi

... Petitioner

Vs.

1.The Inspector of Police,
N3-Muthiyalpet Police Station,
Chennai.
(Crime No.65 of 2019)

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

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

4.Menaka @ Divya
D/o.Chandrasekar.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to grant a general direction directing the 2nd respondent to file a report pertaining to the detention of the detainee by name Menaka @ Divya, Daughter of Chandrasekar, aged about 23 years and in pursuance direct the learned Metropolitan Magistrate No.IV, Saidapet, Chennai to dispose of Crl.M.P.No.Not Known of 2019 in Crime No.65 of 2019.

For Petitioner : Mr.S.Sasikumar

For Respondents : Mr.C.Raghavan
Government Advocate (Crl.side)

O R D E R

This Criminal Original Petition has been filed by the mother 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.65 of 2019 for the offences under Section 3(2)(a), 4(1), 5(1)(a) of Immoral Traffic Prevention Act. The petitioner's daughter viz.,

Menaka @ Divya was produced before the learned Metropolitan Magistrate No.IV, 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 petition in Crl.M.P.No.Not known of 2019 before the Court below seeking for the release of the petitioner's 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 orders passed by this Court in Crl.O.P.Nos.27063, 26714, 29421 and 29428 of 2018, wherein this Court has dealt with an issue of similar nature.

5.Taking into consideration the earlier orders 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 daughter viz., Menaka @ Divya, 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 Metropolitan Magistrate No.IV, 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, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

rm

To

1.The Metropolitan Magistrate No.IV
Saidapet,
Chennai.

2.The Inspector of Police,
N3-Muthiyalpet Police Station,
Chennai.
(Crime No.65 of 2019)

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

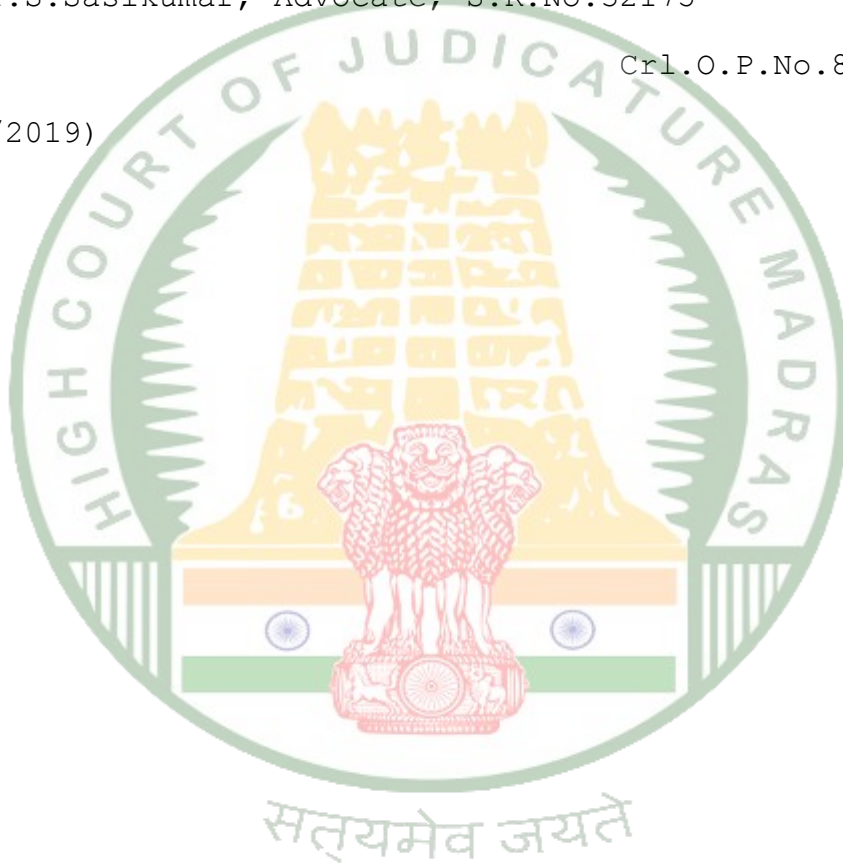
4.The Superintendent,
Government Home for Women,
Mylapore, Chennai 600 004.

5.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.S.Sasikumar, Advocate, S.R.No.32175

Crl.O.P.No.8949 of 2019

RRS (04/04/2019)



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