

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.9778 of 2019
and
CrI.M.P.No.5105 of 2019

Appikatlal Pramod

... Petitioner

Vs.

1.The Inspector of Police
AYS-I
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.Appikatlal Krishna Kumari ... 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 Appikatlal Krishna Kumari and in pursuance direct the IV Metropolitan Magistrate, Saidapet, Chennai to dispose of CrI.M.P.No. Not known of 2019 in Crime No.10 of 2019 as expeditiously.

For Petitioner : Mr.N.Edwin Jeyakumar

For Respondents : Mr.M.Mohamed Riyaz

Addl. Public Prosecutor for R1 to R3

ORDER

This Criminal Original Petition has been filed by the husband of the detainee seeking for release of the detainee, who is now detained before the 3rd respondent Government Home for Women.

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) and 6(1) and 7(1) of Immoral Traffic Prevention Act, 1956. The petitioner's wife namely Appikatla Krishna Kumar was produced before the IV Metropolitan Magistrate, Saidapet, Chennai showing her as a victim and she was detained under the custody of the 3rd respondent.

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 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 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 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 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

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To.

1.The Inspector of Police
AYS-I
Chennai

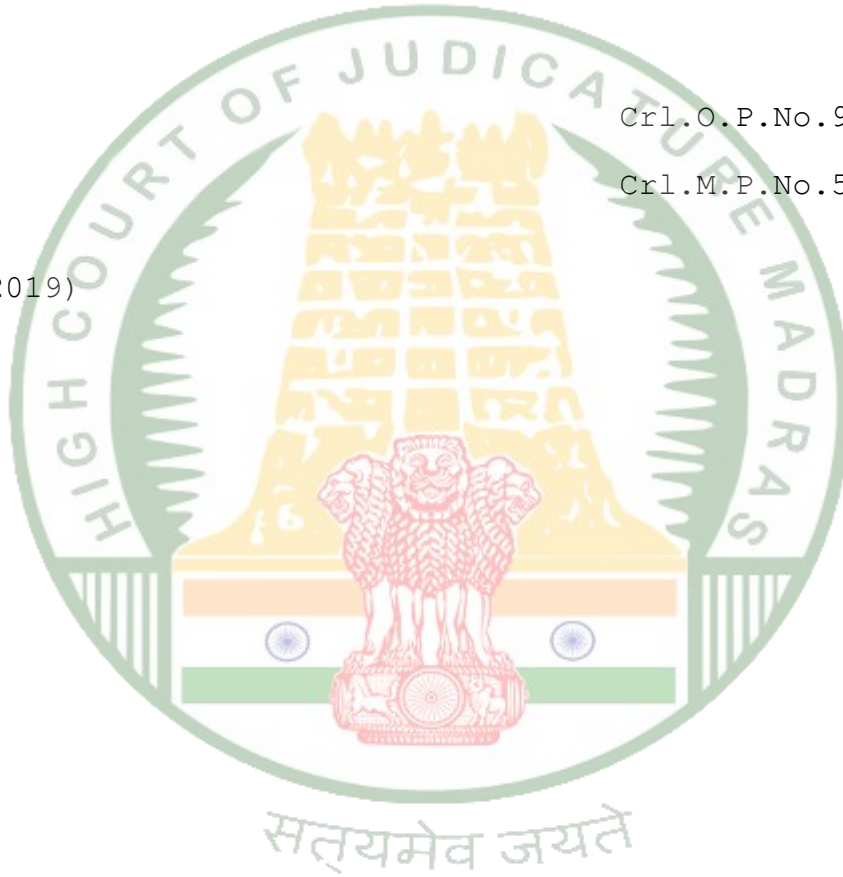
2.The Chief Probation Superintendent
The office of Chief Probation Office,
CMDA Tower-II, 2nd Floor
Egmore, Chennai

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

+lcc to Mr.N.Edwin Jeya Kumar, Advocate, S.R.No. 38890

CrI.O.P.No.9778 of 2019
and
CrI.M.P.No.5105 of 2019

AP (CO)
GN(26/04/2019)



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