

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2019

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.21409 of 2019

Nuru Kaith

... Petitioner

Vs.

1. State, Inspector of Police,
AVS I, Chintadripet 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. Emrtunessa Shaik ... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the 3rd Respondent to file a report pertaining to the detention of the detenue by name Emrtunessa Shaik and in pursuance direct the Metropolitan Magistrate No.IV, Saidapet to dispose the Crl MP No.198 of 2019 in Crime No.26 of 2019 as expeditiously.

For Petitioner : Mr.S.Senthilvel

For Respondents : Mr.Mohammed Riyaz
Additional Public Prosecutor
for R1 to R3.

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O R D E R

This petition has been filed by the brother of the detenue's father seeking for release of the detenue, who is now detained before the 3rd respondent Government Home for Women.

2. The first respondent registered an FIR in Crime No.*26 of 2019 for the offences under Sections 3(2)(a), 4(1) and 5(1)

(a) of Immoral Traffic Prevention Act, 1956. The petitioner is the brother of the fourth respondent's father, namely Emrtunessa Shaik was produced before the IV Metropolitan Magistrate Court, 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 a petition in Crl.M.P.No.198 of 2019 before the Court below seeking for the release of the petitioner's brother'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.No.29421 of 2019, Crl OP No.2525 of 2019, Crl OP No.8202 of 2019 and Crl OP No.8733 of 2019, 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 Women, Mylapore. The petitioner before taking *** her brother's daughter** 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 Court, 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.

Sd/-

Assistant Registrar (Insp.Cell)

Dated: 09/08/2019

**Corrected as per order of
this court, dated 19/08/2019 and
made in Crl.OP.No. 21409/2019**

**Sd/- Assistant Registrar(CCC)
dated: 19/08/2019**

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
AVS I, Chintadripet, 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. The Public Prosecutor,
High Court of Madras, Chennai.

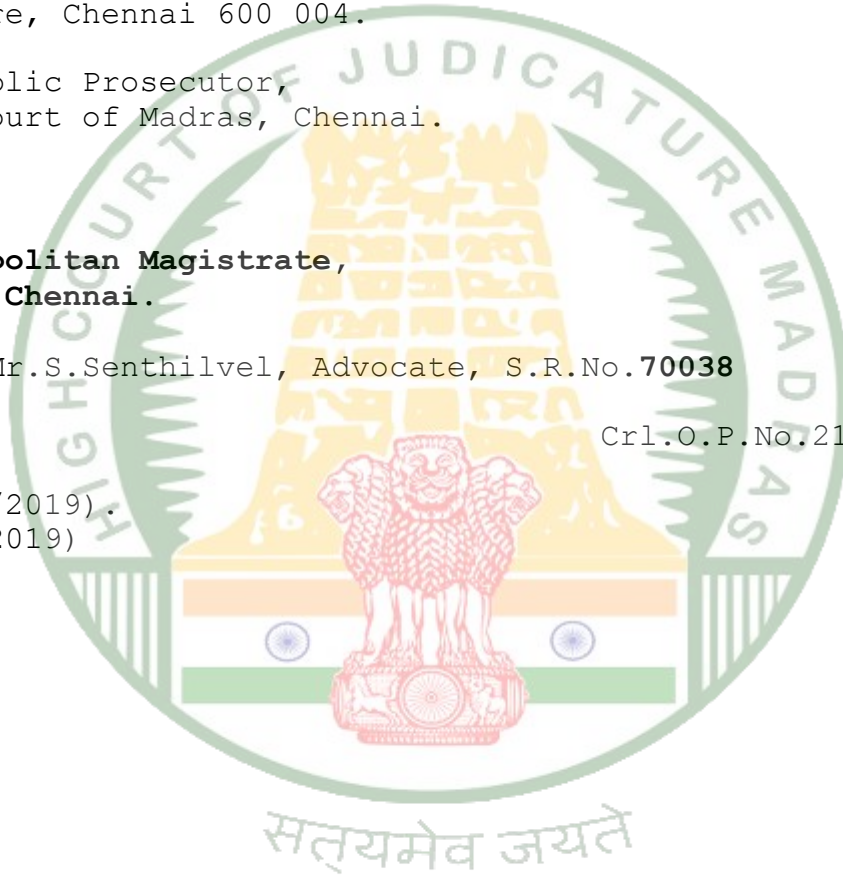
Copy To

**The metropolitan Magistrate,
Saidapet, Chennai.**

+1 cc to Mr.S.Senthilvel, Advocate, S.R.No.70038

Crl.O.P.No.21409 of 2019

VBA(CO)
SSM(13/08/2019).
GN(19/08/2019)



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