

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2019

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

Crl.OP No.24410 of 2019

Hadaet Shaikh

.. Petitioner

Vs.

1. State by The Inspector of Police,
AVS-I, Chindadripet,
Chennai-2.

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 Women,
Mylapore, Chennai-4.

4. Kajol Shaikh .. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to grant a General direction, directing the second respondent to file a report pertaining to the detention of the detainee by name Kajol Shaikh and direct the IV M.M., Saidapet, Chennai to dispose of the Crl.M.P.No.Not Known of 2019 in Crime No.32 of 2019 as expeditiously.

For Petitioner

:Mr.S.Prabhudoss

For R1 to R3

:Mr.C.Iyyapparaj

Additional Public Prosecutor

O R D E R

This petition has been filed by the cousin brother of the detainee seeking for release of the detainee, who is now detained before the 3rd respondent Government Home for Woman.

2. The 1st respondent registered an FIR in Crime No.32 of 2019 for the offences under Sections 3(2)(a), 4(1), 5(1)(a) of Immoral Traffic Prevention Act, 1956. The petitioner is the cousin brother of the 4th respondent, namely Kajol Shaikh, who 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.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 orders passed by this Court in Crl.O.P.No.27063 of 2018, Crl.O.P.No.26714 of 2018, Crl.O.P.No.29421 of 2018 and Crl.O.P.No.18627 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 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 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 directions. Consequently, the connected miscellaneous petition is closed.

-s/d-
Assistant Registrar(CS-I)

True Copy

Sub-Assistant Registrar

pnn
To

- 1.The Inspector of Police,
AVS-I, Chindadripet,
Chennai-2.
 - 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 Women,
Mylapore, Chennai-4.
 - 4.The Public Prosecutor,
Madras High Court,
Chennai.
 - 5.The IV Metropolitan Magistrate
Saidapet, Chennai.
- +1 CC to Mr.S.Prabhudoss, Advocate sr 84484.

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RK(CO)
SP(14/10/2019)



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