

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.25433 of 2019
and
Crl.M.P.No.13628 of 2019

Akshay

...Petitioner

Vs

1.The Inspector of Police,
T-4, Maduravoyal Police Station,
Chennai - 600 095.

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.

4.Sonal

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the 2nd respondent to file a final report pertaining to the detention of the detainee by name Sonal and in pursuance direct the Judicial Magistrate No.II, Poonamallee to dispose the C.M.P.No.3342 of 2019 in Crime No.619 of 2019 as expeditiously as possible.

For Petitioner : Mr.S.Sarath Chandran

For Respondents: Mr.C.Iyyapparaj
(1 to 3) 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.619 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 sister of the 4th respondent, namely Sonal, who was produced before the Judicial Magistrate No.II, Poonamallee, 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 CrI.M.P.No.3342 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 CrI.O.P.No.1510 of 2019, CrI.O.P.No.30712 of 2018 and CrI.O.P.No.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 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 Judicial Magistrate No.II, Poonamallee, 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

True Copy

Sub-Assistant Registrar

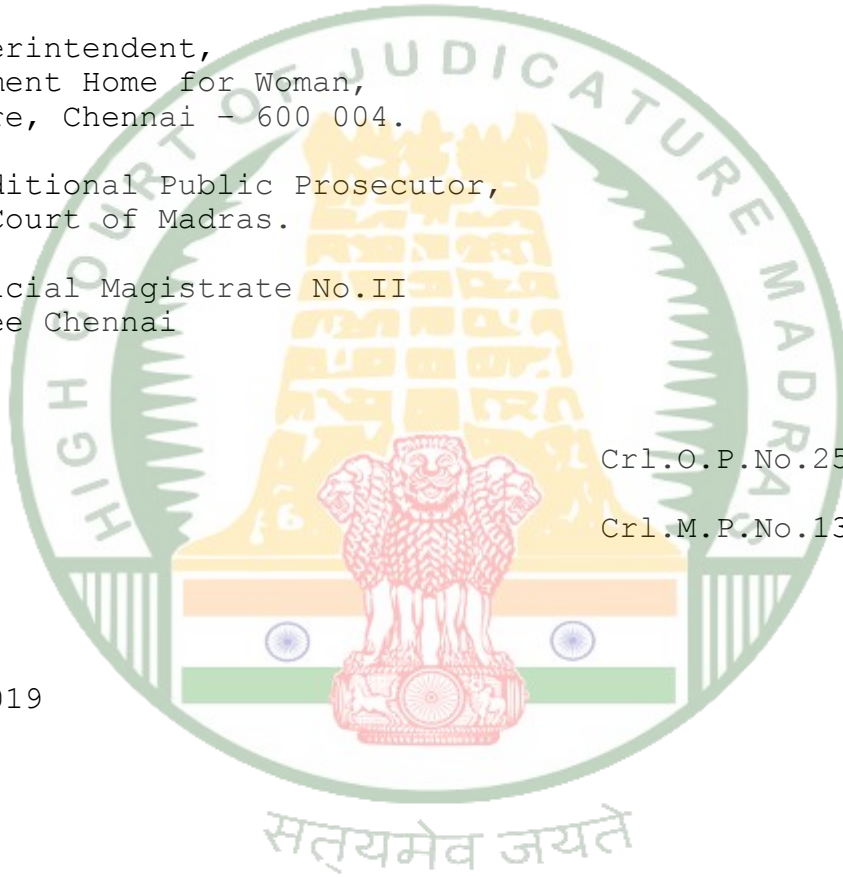
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To

- 1.The Inspector of Police,
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Chennai - 600 095.
- 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.
4. The Additional Public Prosecutor,
High Court of Madras.
- 5.The Judicial Magistrate No.II
Poonamallee Chennai

Crl.O.P.No.25433 of 2019
and
Crl.M.P.No.13628 of 2019

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