

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.26374 of 2019

R.Manisha Chatarji

...Petitioner

Vs.

1. State Represented by its,
The Inspector of Police,
AVS Wing,
Chennai.

2. The Chief Probation Officer,
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. Taniya Tiwari

...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 R.Taniya Tiwari and in pursuance direct the Judicial Magistrate - I, Poonmallee to dispose the Crl.M.P.No.4994 of 2019 in Crime No.47 of 2019 as expeditiously.

For Petitioner : Mr.V.Bhagyaraj

For Respondents : Mr.C.Iyyapparaj
Additional Public Prosecutor
for R1 to R3

O R D E R

This 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 1st respondent registered an FIR in Crime No.47 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 mother of the 4th respondent, namely Taniya Tiwari, 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 CrI.M.P.No.4994 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. Taking into consideration the earlier orders passed by this Court in CrI.O.P.No.27063 of 2018 and CrI.O.P.No.26714 of 2018, wherein this Court has dealt with an issue of similar nature 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 daughter, 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 - I, Poonamallee, once in a week on Monday at 10.30 a.m., till the P.O. report is submitted before the Court.

5. This Criminal Original Petition is disposed of, with the above directions.

Sd/-

Assistant Registrar(CO)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

jas/hvk

To

1.The Judicial Magistrate - I,
Poonmallee.

2.The Inspector of Police,
AVS Wing,
Chennai.

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

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

5. The Additional Public Prosecutor,
High Court of Madras.

+1 cc to M/s.V.Bhagyaraj, Advocate, S.R.No.83877

SSV(CO)
SSM(01/10/2019).

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01.10.2019

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