

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2019

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THE HONOURABLE MR. JUSTICE V.PARTHIBAN

Crl.O.P.No.27006 of 2019 and
Crl.M.P.No.14434 of 2019

Eluri Gangaraju

...Petitioner

Vs.

1. The Inspector of Police,
K10-Koyambedu Police Station, Chennai.
(Crime No.930 of 20196)

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

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

4. Eluri Marthamma

...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 detinue by name Eluri Marthamma, daughter of Venkateswaralu and in pursuance direct the IV Metropolitan Magistrate, Saidapet, Chennai to dispose the Crl.M.P.No. Not known of 2019 in Crime No.930 of 2019 on the file of the 1st respondent as expeditiously.

For Petitioner

: Mr.S.Sasikumar

For Respondents

: Mr.C.Raghavan

Government Advocate for RR1 to 3

ORDER

This petition has been filed by the 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.930 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 brother of the 4th respondent, namely Eluri Marthamma, 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 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 order dated 13.09.2019 passed by this Court in Crl.O.P.No.23080 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 his sister 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 directions. Consequently, the connected miscellaneous petition is closed.

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Index: Yes/No
Internet: Yes/No
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V.PARTHIBAN, J.

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To

1. The IV Metropolitan Magistrate Court,
Saidapet, Chennai.
2. The Inspector of Police,
K10-Koyambedu Police Station, Chennai.
3. The Chief Probation Superintendent,
The Office of Chief Probation Office,
CMDA Tower-II, 2nd Floor,
Egmore, Chennai.
4. The Superintendent,
Government Home for Women,
Mylapore, Chennai - 600004.
5. The Additional Public Prosecutor,
High Court of Madras.

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