

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

Cr1.O.P.No.30048 of 2019

and

Cr1.M.P.No.16255 of 2019

Ketab Ali

...Petitioner

Vs.

1. Inspector of Police,  
AVS I PS, Chennai.  
(Crime No.60 of 2019)

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 - 600004.

4. Kobita Akther

...Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to grant a general direction directing the 2<sup>nd</sup> respondent to file a report pertaining to the detention of the detenu by name Kobita Akther and in pursuance direct the IV Metropolitan Magistrate, Saidapet, Chennai to dispose the Cr1.M.P.No. Not known of 2019 in Crime No.60 of 2019 on the file of the 1<sup>st</sup> respondent as expeditiously.

For Petitioner : Mr.R.Mohanan

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

ORDER

This petition has been filed by the husband of the detenu seeking for release of the detenu, who is now detained before the 3<sup>rd</sup> respondent Government Home for Woman.

2. The 1<sup>st</sup> respondent registered an FIR in Crime No.60 of 2019 for the offences under Sections 3(2)(a), 4(1), 5(1)(a), 6(1) and 7(1) of Immoral Traffic Prevention Act, 1956. The petitioner is the husband of the 4<sup>th</sup> respondent, namely Kobita Akther, 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 wife 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 Crl.O.P.No.27063 of 2018, Crl.O.P.No.26714 of 2018 and Crl.O.P.No.29421 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 3<sup>rd</sup> respondent to immediately release the 4<sup>th</sup> respondent from the Government Home for Women, Mylapore. The petitioner, before taking his wife, namely the 4<sup>th</sup> respondent from the home, shall produce necessary evidence to show his relationship with the 4<sup>th</sup> respondent. The 4<sup>th</sup> 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.

5. This Criminal Original Petition is disposed of, with the above directions. Consequently, the connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The IV Metropolitan Magistrate,  
Saidapet, Chennai.
2. -Do-Thro' The Chief Metropolitan Magistrate,  
Egmore, Chennai.
3. The Inspector of Police,  
AVS I PS, Chennai.
4. The Chief Probation Superintendent,  
The Office of Chief Probation Office,  
CMDA Tower-II, 2nd Floor,  
Egmore, Chennai.
5. The Superintendent,  
Government Home for Women,  
Mylapore, Chennai - 600004.
6. The Public Prosecutor,  
High Court of Madras.

+1 cc to M/s.R.Mohanan,Advocate Sr.No. 92713

AKM/11.11.19/3P-8C /

Crl.O.P.No.30048 of 2019  
and Crl.M.P.No.16255 of 2019

सत्यमेव जयते

WEB COPY