

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.31088 of 2019
and Crl.M.P.No.16911 of 2019

Zafarulla Baig

... Petitioner

Vs.

1. The Inspector of Police,
AVS I PS,
Chennai.
(Crime No.63 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 600 004.
4. Soniya Vishnu Chavan

.... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to grant a general direction directing the 2nd respondent to file a report pertaining to the detention of the detainee by name Soniya Vishnu Chavan and in pursuance direct the IV Metropolitan Magistrate, Saidapet, Chennai to dispose the Crl.M.P.No. Not Known of 2019 in Crime No.63 of 2019 on the file of the 1st respondent as expeditiously.

For Petitioner : Mr.R.Mohanan

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

O R D E R

This petition has been filed by the husband of the detenue seeking for release of the detenue, who is now detained before the 3rd respondent Government Home for Women.

2. The 1st respondent registered an FIR in Crime No.63 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 husband of the 4th respondent, namely Soniya Vishnu Chavan, 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.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 CrI.O.P.No.27063 of 2018, CrI.O.P.No.26714 of 2018 and CrI.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 3rd respondent to immediately release the 4th respondent from the Government Home for Women, Mylapore. The petitioner, before taking his wife, 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, Saidapet, 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, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The IV Metropolitan Magistrate,
Saidapet, Chennai.

2. The Inspector of Police,
AVS I PS,
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 600 004.

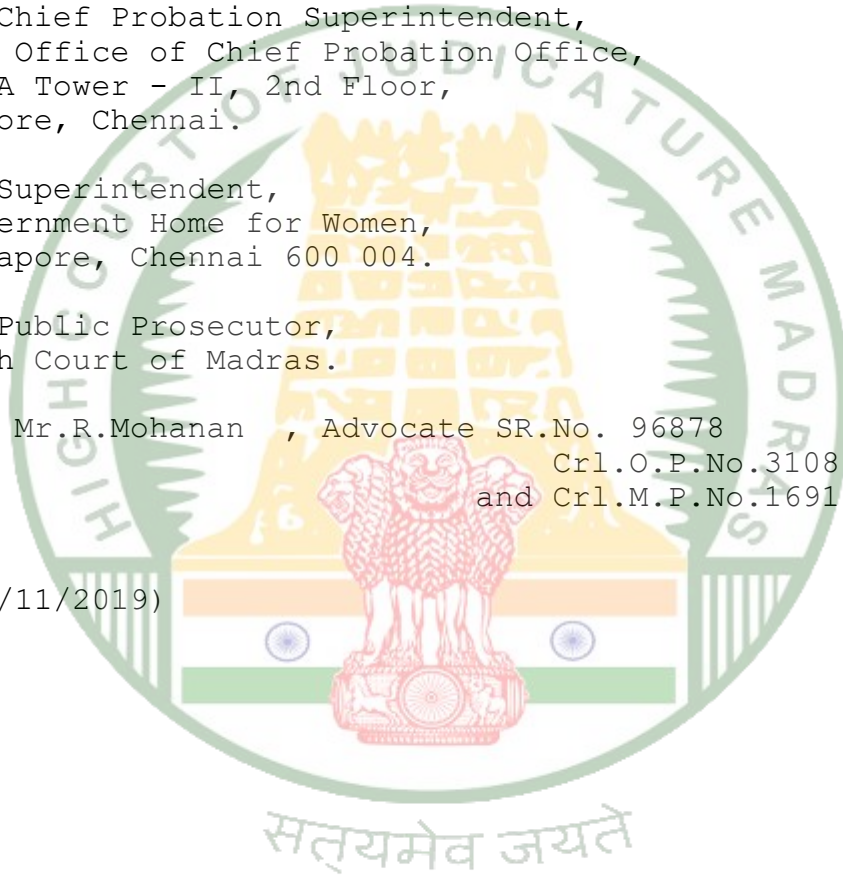
5. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.R.Mohanan , Advocate SR.No. 96878

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sj

A.SK(21/11/2019)



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