

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2019

CORAM :

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.30712 of 2018
and
Crl.M.P.No18007 of 2018

V.Sivakumar

... Petitioner

Vs.

- 1.The Inspector of Police,
AVS- I,
Chennai.
- 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.Sulochana

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent to file a report pertaining to the detention of the detenu by name Sulochana and in pursuance direct the IV Metropolitan Magistrate, Saidapet, Chennai to dispose of Crl.M.P.No.2208 of 2018 in Crime No.121 of 2018 as expeditiously.

For Petitioner : Mr.N.Edwin Jeyakumar

For R1 to R3 : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

O R D E R

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

2 The first respondent registered an FIR in Crime No.121 of 2018 for the offences under Section 3(2)(a), 4(1), 5(1)(a), 6(1), 7(1) of Immoral Traffic Prevention Act. The petitioner's wife namely Sulochana was produced before the IV Metropolitan Magistrate Court, Saidapet showing her as a victim and she was detained in the home on 18.12.2018.

3 The learned counsel for the petitioner submitted that the petitioner filed a petition in CrI.M.P.No.2208 of 2018 before the Court below seeking for the release of his 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 The learned counsel for the petitioner brought to the notice of this Court the earlier order passed this Court in CrI.O.P.No.29428 of 2018, dated 18.12.2018, wherein this Court has dealt with an issue of similar nature.

5 Taking into consideration the earlier order 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 woman, 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.

6 This Criminal Original Petition is disposed of, with the above direction. Consequently, the connected miscellaneous petition is also closed.

mpa/rpl

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The IV Metropolitan Magistrate,
Saidapet, Chennai.

2.The Inspector of Police,
AVS- I,
Chennai.

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

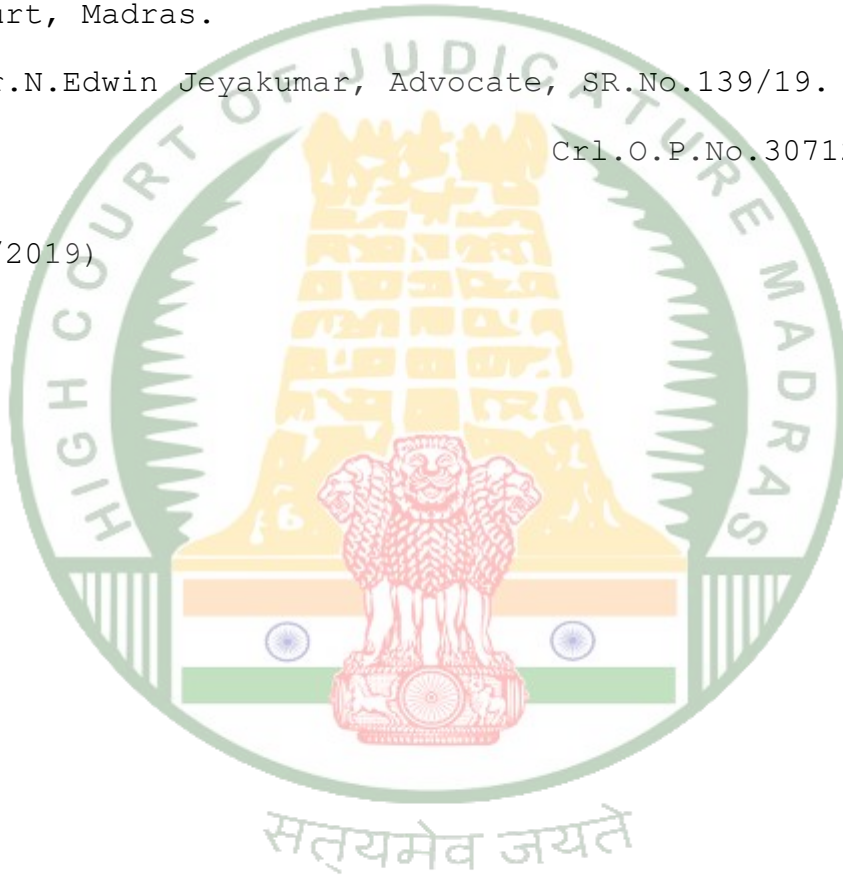
4.The Superintendent,
Government Home for Woman,
Mylapore, Chennai-600 004.

5.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.N.Edwin Jeyakumar, Advocate, SR.No.139/19.

Crl.O.P.No.30712 of 2018

SVN(CO)
KAK(03/01/2019)



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