

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN, J.

Crl.O.P.No.5042 of 2020 and
Crl.MP.No.2853 of 2020

Virender Kumar

... Petitioner

Vs.

1. Inspector of Police,
Anti Vice Squad-I,
Chintadripet,
Chennai-2

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. Pooja

... 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 final report pertaining to the detention of the detenu by name Pooja in pursuance direct the learned IV Metropolitan Magistrate, Saidapet, Chennai to dispose of the Crl.M.P.459 of 2019 in Crime No.74 of 2019 on the file of 1st respondent as expeditiously.

For Petitioner : Ms.R.Girija

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 1st respondent registered an FIR in Crime No.74 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 Pooja, 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.459 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 and Crl.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 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.

s/d-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

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To

1.The IV Metropolitan Magistrate,
Saidapet, Chennai

2. Inspector of Police,
Anti Vice Squad-I,
Chintadripet,
Chennai-2

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

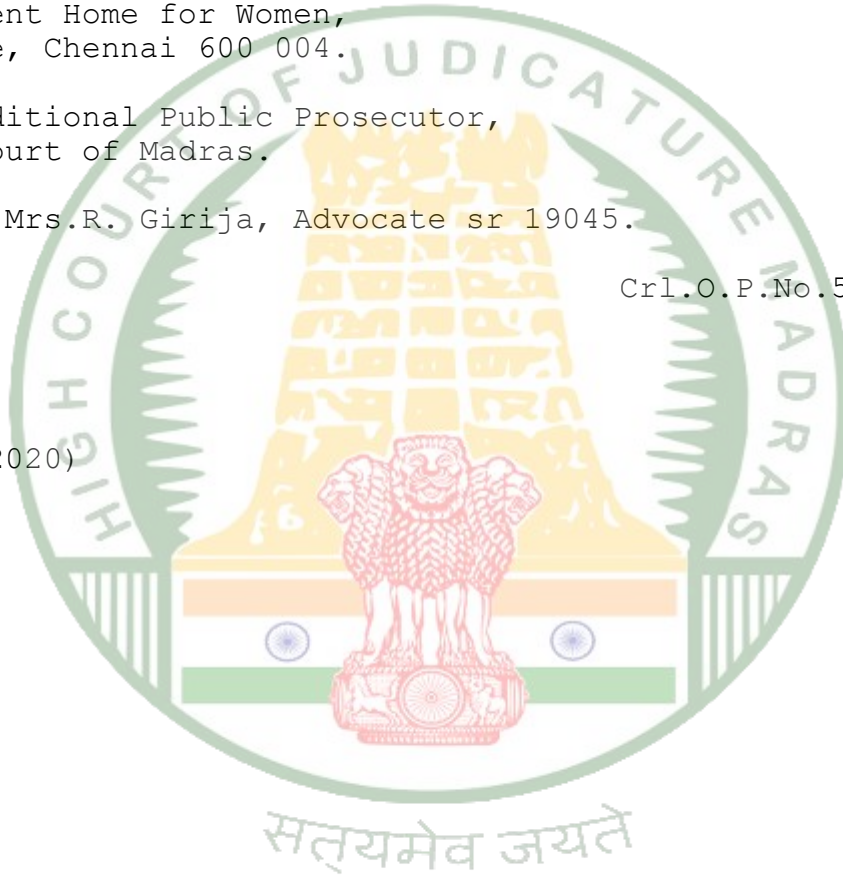
4. The Superintendent,
Government Home for Women,
Mylapore, Chennai 600 004.

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

+2 Ccs to Mrs.R. Girija, Advocate sr 19045.

Crl.O.P.No.5042 of 2020

RK(CO)
SP(06/03/2020)



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