

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2020

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.6856 of 2020
and Crl.M.P.No.3751 of 2020

A.Bagkiyam ... Petitioner /Mother of 4th Petitioner

Vs.

1. Inspector of Police,
R-7, K.K.Nagar Police Station,
Chennai - 78.
(Crime No.71 of 2020)
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.A.Malar
W/o. Ranjith

.... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, directing the second respondent to file a report pertaining to the detention of the detainee by name A. MALAR, and in pursuance direct the learned IV Metropolitan Magistrate, Saidapet, Chennai to dispose the Crl.M.P.No.54 of 2020 in Crime No.71 of 2020 on the file of the first respondent as expeditiously.

For Petitioner : Mr.N.S.Amarnath

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

O R D E R

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

2.The first respondent registered an FIR in Crime No.71 of 2020 for the offences under Sections 3(2)(a), 4(1) and 5(1)

(a) of Immoral Traffic Prevention Act, 1956. The petitioner is the mother of the fourth respondent, namely A.Malar was produced before the IV Metropolitan Magistrate Court, Saidapet, Chennai showing her as a victim and she was detained in the home on 13.02.2020.

3.The learned counsel for the petitioner submitted that the petitioner filed a petition in CrI.M.P.No.54 of 2020 before the Court below seeking for the release of the petitioner's daughter 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 by this Court in CrI.O.P.No.29421 of 2019, CrI.O.P.No.2525 of 2019, CrI.O.P.No.8202 of 2019 and CrI.O.P. No.8733 of 2019, 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 Women, Mylapore. The petitioner before taking his daughter namely the 4th respondent from the home, shall produce necessary evidence to show her 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 direction. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1.The Metropolitan Magistrate,
Saidapet, Chennai.

2.Inspector of Police,
R-7, K.K.Nagar Police Station,
Chennai - 78.

<https://hcservices.ecourts.gov.in/hcservices/>
(Crime No.71 of 2020)

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

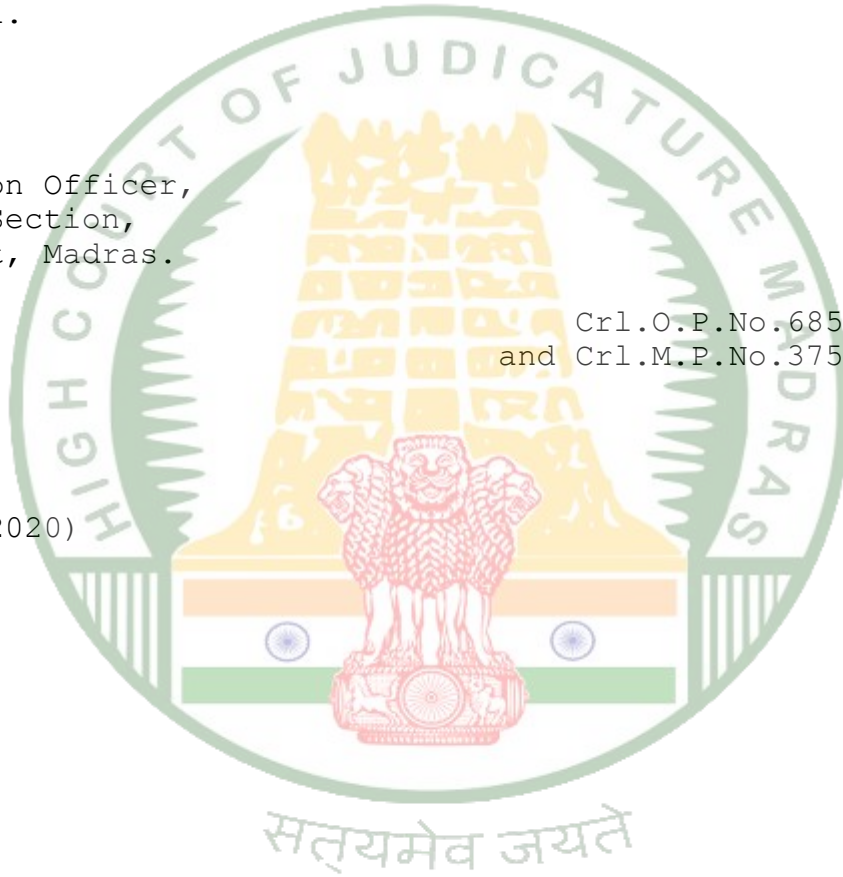
5.The Public Prosecutor,
High Court of Madras,
Chennai.

Copy To

The Section Officer,
Criminal Section,
High Court, Madras.

CrI.O.P.No.6856 of 2020
and CrI.M.P.No.3751 of 2020

PVS (CO)
GN(16/07/2020)



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