

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.6939 of 2020  
and Crl.M.P.No.3781 of 2020

Deepak Kumar Mishra

...Petitioner

-Vs-

1.The Inspector of Police,  
Anti Vice Squard-I  
Chindadripet, Chennai.  
(Crime No.4/2020)

2.The Chief Probation Superintendent  
The Office of Chief Probation Office  
CMDA Tower-II, 2<sup>nd</sup> Floor  
Egmore, Chennai.

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

4.Sumi Shekh

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to grant a general direction directing the 2<sup>nd</sup> respondent to file a report pertaining to the detention of the detainee by name Sumi Shekh and in pursuance direct the learned IV Metropolitan Magistrate, Saidapet, Chennai to dispose of the Crl.M.P.not known of 2020 in Crime No.4 of 2020 on the file of 1<sup>st</sup> respondent as expeditiously.

For Petitioner : Mr.L.Saravanan

For Respondents : Mr.M.Mohammed Riyaz  
Additional Public Prosecutor for 1 to 3

ORDER

This petition has been filed by the husband of the detainee seeking for release of the detainee, 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.4 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 husband of the 4<sup>th</sup> respondent, namely Sumi Shekh, 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 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.5042 of 2020 dated 04.03.2020, 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 her 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, 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-III)

//True copy//

Sub Assistant Registrar

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To

- 1.The Inspector of Police,  
Anti Vice Squard-I  
Chindadripet, Chennai.
- 2.The Chief Probation Superintendent  
The Office of Chief Probation Office  
CMDA Tower-II, 2<sup>nd</sup> Floor  
Egmore, Chennai.
- 3.The Superintendent  
Government Home for Women  
Mylapore, Chennai - 600 004.

4.The Public Prosecutor,  
High Court, Madras.

5. The IV Metropolitan Magistrate,  
Saidapet, Chennai.

CrI.O.P.No.6939 of 2020  
and CrI.M.P.No.3781 of 2020

JP (CO)  
GMY (17/06/2020)



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