

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.9980 of 2020

and

CrI.M.P.No.4358 of 2020

K.Santhi,
W/o.Kumar,
No.185, E-Block, 1st Lane,
M.M.D.A. Colony,
Arumbakkam, Chennai - 600 106.

...Petitioner

Vs.

1. State represented by
The Inspector of Police,
AVS-II, CCB, Chennai.
Crime No.71 of 2019.

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

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

4. Kalpana,
W/o.Late.Rajasekar,
No.303, 5th Street,
S.A.Colony, Vyasarpadi,
Chennai - 600 039.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the second respondent to file a report pertaining to the detention of the deteneu by name Kalpana and pursuance direct the IV Metropolitan Magistrate, Saidapet, Chennai to dispose the CrI.M.P.No.495 of 2020 in Crime No.71 of 2019 on the file of the first respondent.

For Petitioner
For Respondents
For R1 to R3

: Mr.L.Saravanan
: Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

This petition has been filed by the mother of the deteneu seeking for release of the deteneu, who is now detained before the third respondent (Government Home for Women).

2. The first respondent registered an FIR in Crime No.71 of 2019 for the offences under Sections 3(2)(a), 4(1), 5(1)(a), 6(1)(a) and 7(1)(a) of Immoral Traffic Prevention Act, 1956. The petitioner is the mother of the fourth respondent, namely Kalpana, 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.495 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. Taking into consideration the earlier orders passed by this Court in Crl.O.P.No.5042 of 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 third respondent to immediately release the fourth respondent from the Government Home for Women, Mylapore, Chennai. The petitioner, before taking her daughter, namely the fourth respondent from the home, shall produce necessary evidence to show his relationship with the fourth respondent. The fourth respondent, on being released from the home, shall stay at Chennai and report before the IV Metropolitan Magistrate, Saidapet, Chennai once in a week on Monday at 10.30 a.m., till the P.O. report is submitted before the Court.

5. Accordingly, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS III)

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Sub Assistant Registrar

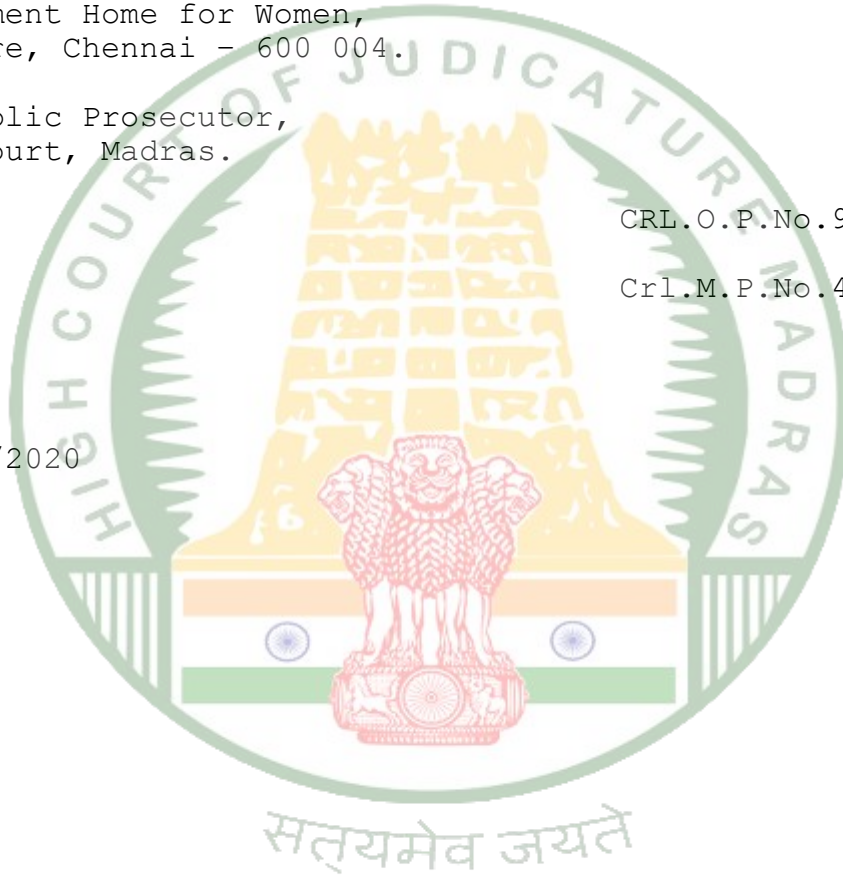
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To

1. The Inspector of Police,
AVS-II, CCB, Chennai.
Crime No.71 of 2019.
2. The Chief Probation Superintendent,
The Officer of Chief Probation Office,
CMDs Tower-II, 2nd Floor,
Egmore, Chennai.
3. The Superintendent,
Government Home for Women,
Mylapore, Chennai - 600 004.
4. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.9980 of 2020
and
Crl.M.P.No.4358 of 2020

RP (CO)
KKV/31/07/2020



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