

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.10569 of 2020

Reena Subha,
D/o. Sher Bahadur,
No.1570, Jabalpur,
Uday Nagar Number1, Madai,
Jabalpur,
Madya Pradesh-482009

Presently residing at
No.41/1,D.B.K Street,
Old Washermenpet,
Chennai-600 02.

... Petitioner

Vs.

- 1.State rep by
The Inspector of police,
AVS, Chintadripet Police Station,
Chennai.
- 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.Kiran
D/o.Sher Bahadur Subba,
House No.1576, Uday Nagar No.1,
VFJ Estate, Jabalpur,
Nadai,
Vehicle Factory,
Madya Pradesh-482 009.

... 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 Kiran and pursuant direct the learned Judicial Magistrate-I, Tambaram, Chennai to dispose the Crl.M.P.No.1252 of 2020 in Crime No.27 of 2020 on the file of the 1st respondent as expeditiously.

Mr.Sarath Chandran for
For Petitioner : Mr.M.P.Saravanan

For R1 to R3 : Mr.S.Karthikeyan
Additional Public Prosecutor

O R D E R

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

2. The 1st respondent registered an FIR in Crime No.27 of 2020 for the offences under Sections 3(2)(a), 4(1) and 5(1)(a) of Immoral Traffic Prevention Act. The petitioner is the sister of the 4th respondent, namely Kiran, who was produced before the learned Judicial Magistrate-I, Tambaram, 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 CrI.M.P.No.1252 of 2020 before the Court below, seeking for the release of the petitioner's own sister 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 CrI.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 3rd respondent to immediately release the 4th respondent from the Government Home for Women, Mylapore. The petitioner, before taking her sister, 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 learned 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.

Sd/-
Assistant Registrar(CCC)

//True copy//

vsn

To

1. The learned IV Metropolitan Magistrate,
Saidapet, Chennai-15.

2. The Judicial Magistrate No-I, Tambaram

3.The Inspector of police,
AVS, Chintaripet Police Station,
Chennai.

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

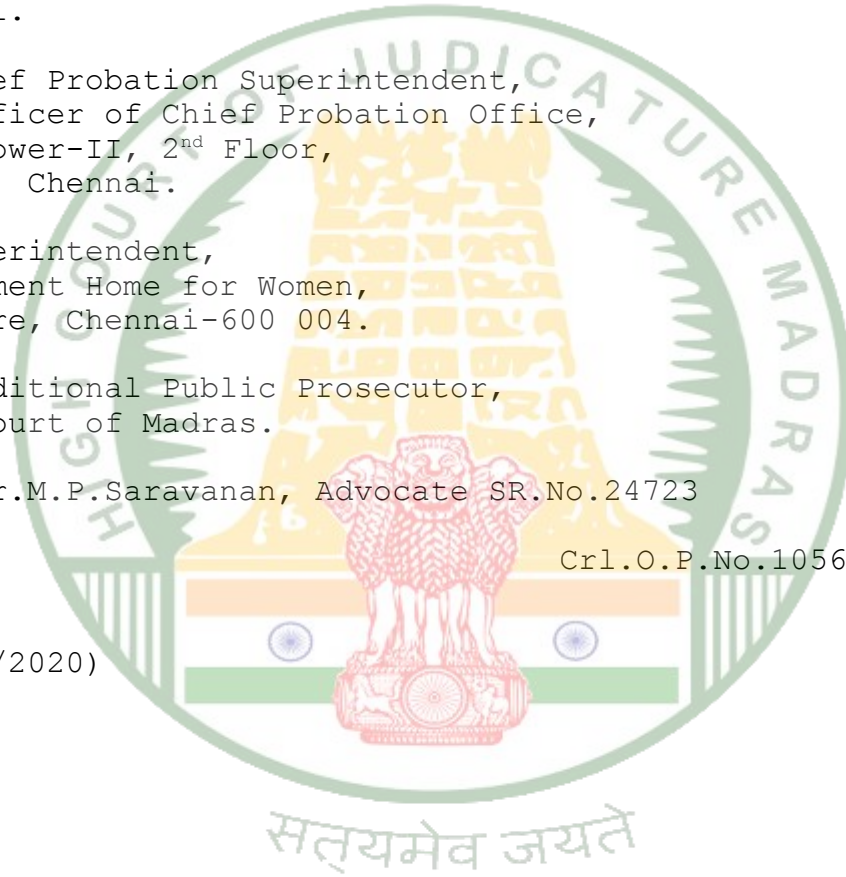
5.The Superintendent,
Government Home for Women,
Mylapore, Chennai-600 004.

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

+lcc to Mr.M.P.Saravanan, Advocate SR.No.24723

CrI.O.P.No.10569 of 2020

NRJK (CO)
GMY (28/07/2020)



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