

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.07.2020

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.10891 of 2020

Mohamed Sabbir,
S/o.Akbar Mulla,
Molladanga,
Kolapaigail Dighalia,
Khulna. Petitioner

Vs.

1. State Inspector of Police
D-3 Ice House Police Station,
Chennai.
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 4
4. Rosy @ Rozi Aktar,
W/o.Mohamed Sabbir,
Molladanga, Kolapaigail Dighalia,
Khulna.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the 3rd Respondent to file a report pertaining to the detention of the detainee by name Rozy @ Rosi Aktar, and in pursuance direct the Metropolitan Magistrate Court, Saidapet to dispose CrI.M.P.No. 57 of 2020 in Cr.No. 87 of 2020 as expeditiously.

For Petitioner : Mr.S.Senthilvel

For Respondents: Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

This petition has been filed by the husband 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.87 of 2020 for the offences under Sections 3(2)(a), 4(1) and 5(1)(a), 6(1)(a) and 7(1)(a) of Immoral Traffic Prevention Act, 1956. The petitioner is the husband of the 4th respondent, namely Rosy @ Rozi Aktar who was produced before the 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.57 of 2020 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 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 IV)

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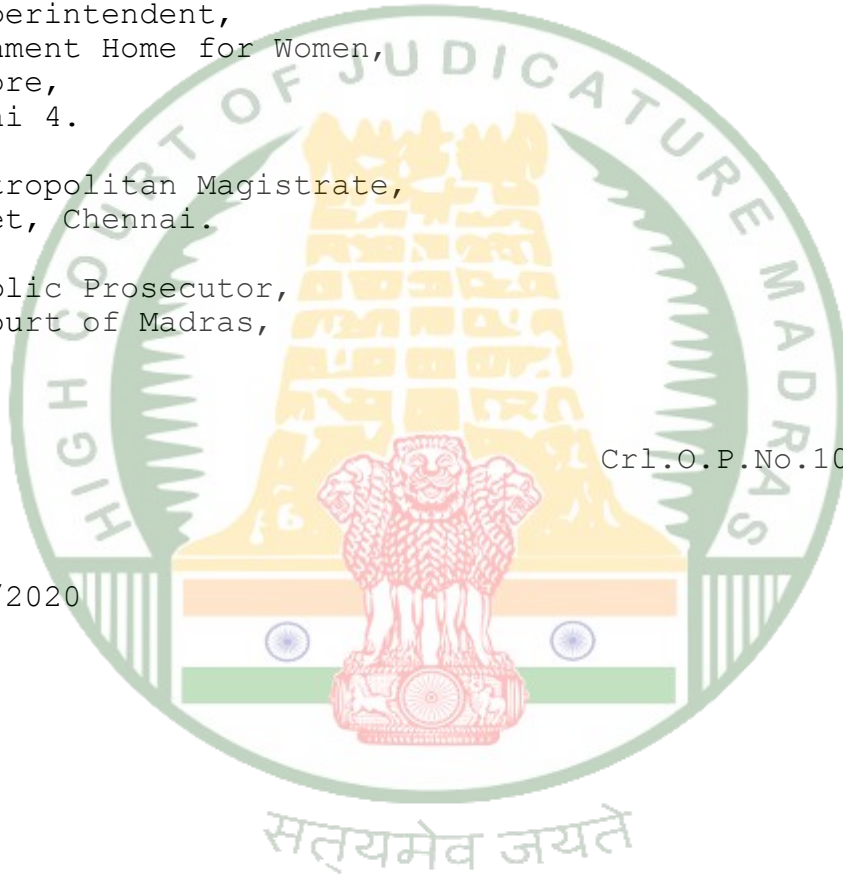
Sub Assistant Registrar

To

1. The Inspector of Police
D-3, Ice House Police Station,
Chennai.
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 4.
4. The Metropolitan Magistrate,
Saidapet, Chennai.
5. The Public Prosecutor,
High Court of Madras,
Madras.

Crl.O.P.No.10891 of 2020

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srg 03/08/2020



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