

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.13470 of 2020
and Crl.M.P.No.5223 of 2020

Vignesh

S/o Muthusamy

No.90, East Namachivayapuram

Choolaimedu

Chennai - 600 094.

...Petitioner

Vs.

1.State Rep by its
The Inspector of Police
AVS-I, Chennai
Crime No.80 of 2019

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

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

4.Jayanthi
W/o Muthusamy
No.90, East Namachivayapuram
Choolaimedu
Chennai - 600 094.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the 2nd respondent to file a report pertaining to the detention of the detenue by name Jayanthi and in pursuance direct the IV Metropolitan Magistrate, Saidapet, Chennai to dispose the Crl.M.P.No. Not Known of 2020 in Crime No.80 of 2019 on the file of 1st respondent as expeditiously as possible.

For Petitioner : Mr.L.Saravanan

For Respondents : Mr.S.Karthikeyan

Additional Public Prosecutor for 1 to 3

O R D E R

The Criminal Original Petition has been filed to to direct the 2nd respondent to file a report pertaining to the detention of the detainee by name Jayanthi and in pursuance direct the IV Metropolitan Magistrate, Saidapet, Chennai to dispose the Crl.M.P.No. Not Known of 2020 in Crime No.80 of 2019 on the file of 1st respondent as expeditiously as possible.

2. The 1st respondent registered an FIR in Crime No.80 of 2019 for the offences under Sections 3(2)(a), 4(1) and 5(1)(a) of Immoral Traffic Prevention Act, 1956. The petitioner is the son of the 4th respondent, namely Jayanthi, 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. Not known of 2020 before the Court below, seeking for the release of the petitioner's mother 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 his mother, 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 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
AVS-I, Chennai

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

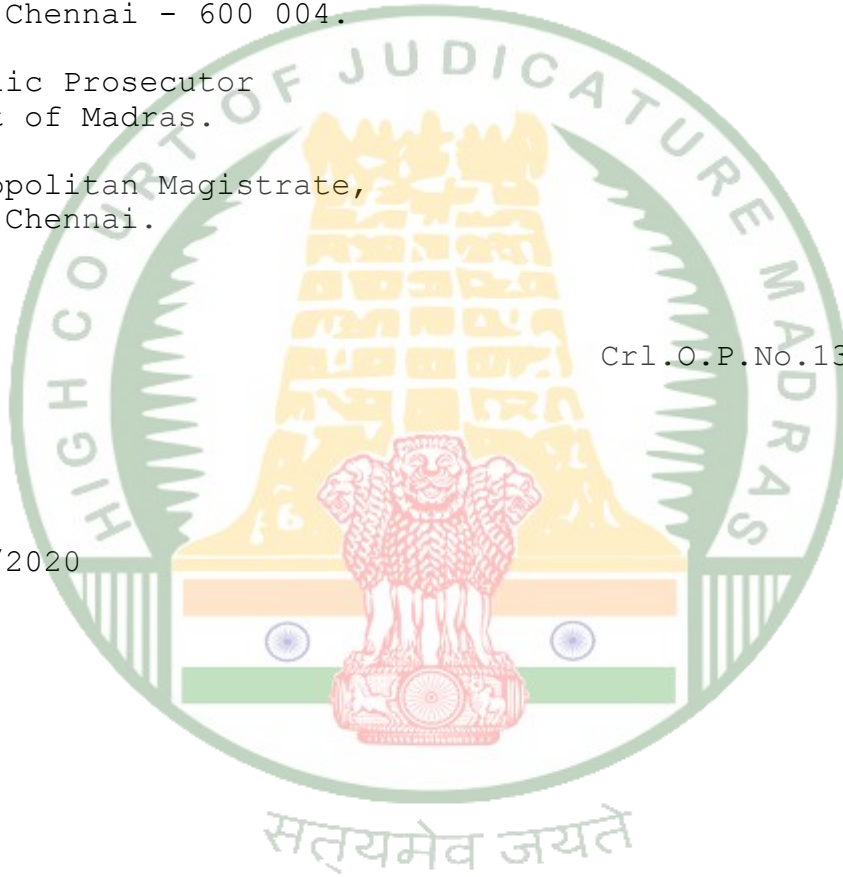
3.The Superintendent
Government Home for Women
Mylapore, Chennai - 600 004.

4.The Public Prosecutor
High Court of Madras.

5.IV Metropolitan Magistrate,
Saidapet, Chennai.

Crl.O.P.No.13470 of 2020

VBA (CO)
KKV/11/09/2020



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