

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.14475 of 2020 and
Crl.MP.No.5518 of 2020

Neela @ Neelavathy, F/A 35 Years,
W/o.Kannan,
No.188, 8th Street, Dr.Ambedkar Nagar,
Thiruvottiyur,
Chennai - 600 019.

...Petitioner

Vs.

1.State Rep. By
The Inspector of Police,
R-6, Kumaran Nagar Police Station, Chennai.

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

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

4.Banu @ Banu Priya
D/o.Moorthy

...Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to grant a general direction directing the 2nd respondent to file a report pertaining to the detention of the detainee by name Banu @ Banu Priya, D/o.Moorthy, aged about 31 years and in pursuance direct the learned IV Metropolitan Magistrate, Saidapet, Chennai to dispose of the Crl.M.P.80 of 2020 in Crime No.1289 of 2020 on the file of 1st respondent as expeditiously.

For Petitioner : Mr.V.Bhagyaraj

For Respondents : Mr.S.Karthikeyan
Additional Public Prosecutor

O R D E R

This petition has been filed by the elder 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.1289 of 2020 for the offences under Sections 4(2)(c), 5(1)(a) and 5(1)(d) of Immoral Traffic Prevention Act, 1956. The petitioner is the elder sister of the 4th respondent, namely Banu @ Banu Priya, who was produced before the learned 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.80 of 2020 before the Court below, seeking for the release of the petitioner's 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 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 sister, namely the 4th respondent from the home, shall produce necessary evidence to show her 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(J)

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Sub Assistant Registrar

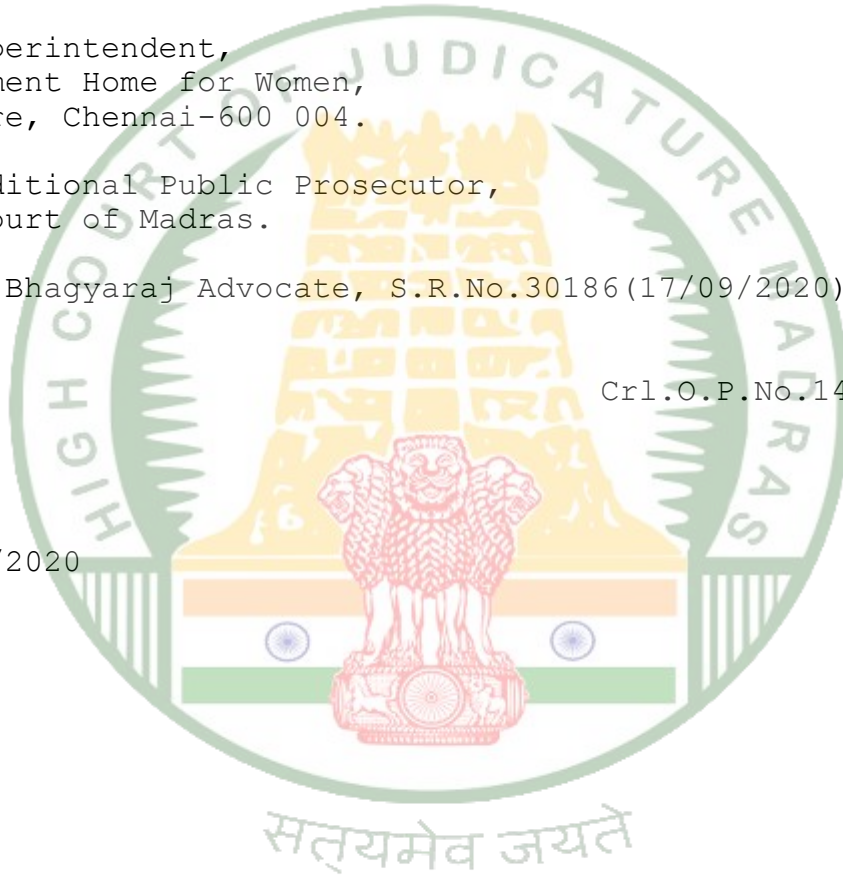
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To

1. The IV Metropolitan Magistrate,
Saidapet, Chennai.
 2. The Inspector of Police,
R-6, Kumaran Nagar Police Station, Chennai
(Cr.No.1289 of 2020)
 3. The Chief Probation Officer,
The Office of Chief Probation Office,
CMDA Tower-II 2nd Floor, Egmore, Chennai.
 4. The Superintendent,
Government Home for Women,
Mylapore, Chennai-600 004.
 5. The Additional Public Prosecutor,
High Court of Madras.
- +1cc to V.Bhagyaraj Advocate, S.R.No.30186(17/09/2020)

Cr1.O.P.No.14475 of 2020

PM(CO)
KKV/17/09/2020



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