

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.14471 of 2020 and
Crl.MP.No.5517 of 2020

Saraswathi, F/A 59 Years
W/o.Paramasivan,
No.6/166, Mela Colony,
Maruthanvalvoo,
Thoothukkudi, Tamilnadu - 628 303.

Now residing at
No.1/7, 3rd Main Road, Venkateswara Nagar,
Raamapuram, Chennai-600 089.

... Petitioner/Mother of the Victim

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.Ganga @ Shanthi
D/o.Paramasivan

... 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 detenu by name Ganga @ Shanthi, D/o.Paramasivan, aged about 32 years and in pursuance direct the learned IV Metropolitan Magistrate, Saidapet, to dispose of the Crl.M.P.79 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 mother of the detainee seeking for release of the detainee, 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 mother of the 4th respondent, namely Ganga @ Shanthi, 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 CrI.M.P.No.79 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 CrI.O.P.No.27063 of 2018 and CrI.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 daughter, 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(CS III)

//True Copy//

Sub Assistant Registrar

To

- 1.The IV Metropolitan Magistrate,
Saidapet, Chennai.
- 2.The Inspector of Police,
R-6, Kumaran Nagar Police Station, Chennai.
- 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 M/s.V.Bhagyaraj, Advocate Sr.30185

Crl.O.P.No.14471 of 2020

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srg 19/09/2020

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