

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.15460 of 2020
and
CrI.MP.No.5894 of 2020

Aparna Chatterjee,
W/o.Arun Chatterjee,
Bidya Nagar, Kakdwip,
Ganeshpur,
South 24 Parganas,
West Bengal - 743 347. Petitioner

Vs.

1. Inspector of Police,
K-3 Aminjikarai Police Station,
Chennai-29.
2. The Chief Probation Superintendent,
The Office of the Chief Probation Office,
CMDA Tower II, 2nd Floor,
Egmore, Chennai.
3. The Superintendent,
Government Home for Women,
Mylapore, Chennai-600 004.
4. Anisha Chatterjee @ Chatterjee,
D/o.Arun Chatterjee,
Bidya Nagar, Kakdwip,
Ganeshpur,
South 24 Parganas,
West Bengal - 743 347. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to grant a general direction directing the second respondent to file a report pertaining to the detention of the detinue by name Anisha Chatterjee @ Chatterjee and in pursuance, direct the learned IV Metropolitan Magistrate, Saidapet, Chennai-15 to dispose the Crl.M.P.84 of 2020 in Crime No.1112 of 2020 on the file of the 1st respondent.

For Petitioner : Mr.N.Senthilkumar
For Respondents: Mr.S.Karthikeyan
Additional Public Prosecutor

O R D E R

This petition has been filed by the mother of the detinue seeking for release of the detinue, who is now detained before the 3rd respondent Government Home for Women.

2. The 1st respondent registered an FIR in Crime No.1112 of 2020 for the offences under Sections 3(2)(a), 4(1) & 5(1)(a) of Immoral Traffic Prevention Act, 1956. The petitioner is the mother of the 4th respondent, namely Anisha Chatterjee @ Chatterjee, who was produced before the learned IV Metropolitan Magistrate, 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.84 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 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 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, Chennai 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 criminal miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

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To

1. Inspector of Police,
K-3 Aminjikarai Police Station,
Chennai-29.
2. The Chief Probation Superintendent,
The Office of the Chief Probation Office,
CMDA Tower II, 2nd Floor,
Egmore, Chennai.
3. The Superintendent,
Government Home for Women,
Mylapore, Chennai-600 004.
4. The Additional Public Prosecutor,
High Court of Madras.

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