

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :09.10.2020

CORAM:

THE HONOURABLE MR. JUSTICE R. PONGIAPPAN

CrI.O.P.No.16095 of 2020 &
CrI.M.P.No.6152 of 2020

Anusiya .. Petitioner

vs.

1.State represented by its
The Inspector of Police,
AVS Wing-II,
Chennai.

2.The Chief Probation Officer,
The office of Chief Probation Officer,
CMDA Tower-II, 2nd floor,
Egmore, Chennai.

3.The Superintendent,
Government Home for Women,
Mylapore,
Chennai.

4.Pramila .. Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the second respondent to file a report pertaining to the detention of the detainee by name Pramila D/o. James aged about 24 years and in pursuance direct the learned IV Metropolitan Magistrate, Saidapet, to dispose of the CrI.M.P.No.81 of 2020 in Cr.No.30 of 2020 as expeditiously.

For Petitioner : Mr.V.Bhagyaraj

For Respondents : Mrs.M.Prabhavathi

Additional Public Prosecutor

O R D E R

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

2. The first respondent registered an FIR in Crime No.30 of 2020 for the offences under section 3(2)(a), 4(1) & 5(1)(a) of immoral Traffic Prevention Act, 1956. The petitioner is the mother of the fourth respondent namely, Pramila, 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.81 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 fourth respondent from the Government Home for Women, Mylapore. The petitioner, before taking her daughter, namely the fourth respondent from the home, shall produce necessary evidence to show her relationship with the fourth respondent. The fourth 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 miscellaneous petition is closed.

Sd/-
Assistant Registrar(co)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
AVS Wing-II,Chennai.

2.The Chief Probation Officer,
The office of Chief Probation Officer,
CMDA Tower-II, 2nd floor,
Egmore, Chennai.

3.The Superintendent,
Government Home for Women,
Mylapore,Chennai.

4.The Public Prosecutor,High Court, Madras.

Crl.O.P.No.16095 of 2020

+1cc to Mr.V.Bhagyraj, Advocate SR.No. 33582

<https://hcservices.ecourts.gov.in/hcservices/>
A.SR(12/10/2020)