

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.No.533 of 2021

and

Crl.M.P.No.305 of 2021

Mohamed Suban Pasha

...Petitioner

vs.

1. State rep by Inspector of Police,
K-8 Arumbakkam Police Station,
Arumbakkam, Chennai - 106.
2. The Chief Probation Superintendent,
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. Nousheen @ Rupali Sharma

...Respondents

This Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent to file a final report pertaining to the detention of the detainee by name Nousheen @ Rupali Sharma in pursuance and direct the learned IV Metropolitan Magistrate, Saidapet, Chennai to dispose of the Crl.M.P.No.159 of 2020 in Crime No.1150 of 2020 on the file of 1st respondent as expeditiously.

For Petitioner : M/s. S.Carolin Esabella
For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

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

2 The first respondent registered an FIR in Crime No.1150 of 2020 for the offence under Sections 3(2)(a), 4(1) and 5(1)(a) of Immoral Traffic (Prevention) Act, 1956. The fourth respondent, namely Nousheen @ Rupali Sharma, was produced before the IV Metropolitan Magistrate Court, Saidapet, Chennai showing her as a victim and she was detained in the Government home.

3 The learned counsel for the petitioner submitted that the petitioner filed a petition in Crl.M.P.No.159 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 The learned counsel for the petitioner brought to the notice of this Court the earlier orders passed by this Court in Crl.O.P.No.27063 of 2018, Crl.O.P.No.26714 of 2018 and Crl.O.P.No.5042 of 2020, wherein this Court has dealt with an issue of similar nature.

5 Taking into consideration the earlier orders passed by this Court 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 sister 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 Court, Saidapet, Chennai, once in a week on Monday at 10.30 a.m., till the P.O report is submitted before the Court.

6 This Criminal Original Petition is allowed, with the above directions. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-VI)

// True Copy//

Sub Assistant Registrar

mra

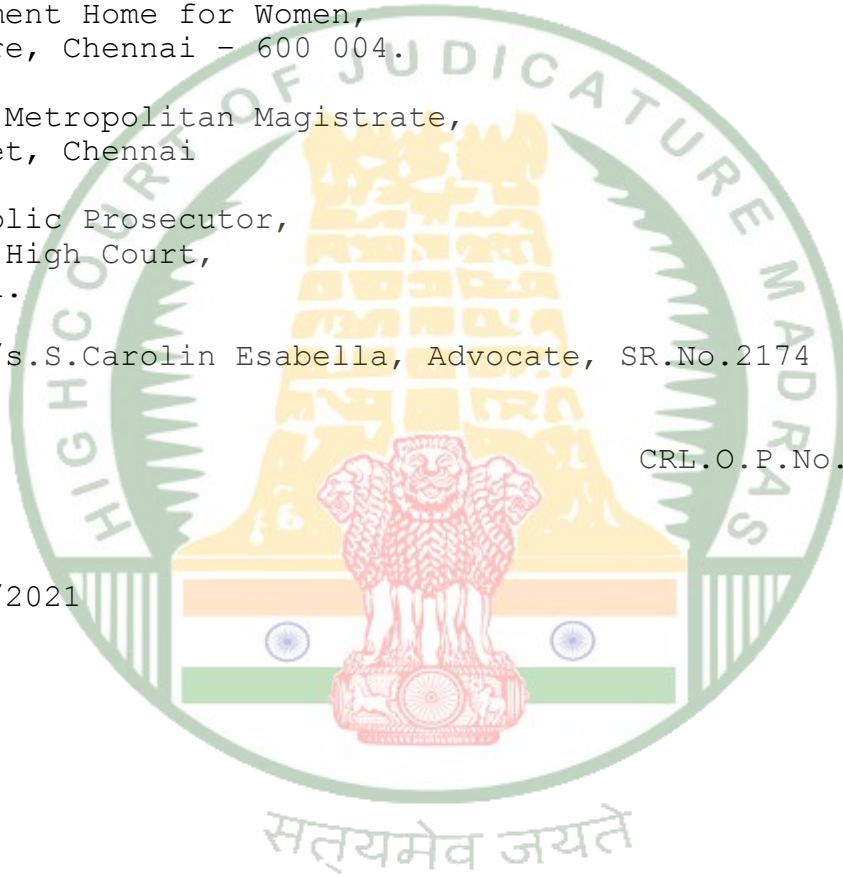
To

1. The Inspector of Police,
K-8 Arumbakkam Police Station,
Arumbakkam, Chennai - 106.
2. The Chief Probation Superintendent,
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. The IV Metropolitan Magistrate,
Saidapet, Chennai
5. The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to M/s.S.Carolin Esabella, Advocate, SR.No.2174

CRL.O.P.No.533 of 2021

AD(CO)
KKV/22/01/2021



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