

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.3852 of 2021
and Crl. MP No.2292 of 2021

Subodh Patra

... Petitioner

vs.

1.State rep by:

The Inspector of Police,
AVS-II, Chennai.

2.The Chief Probation Superintendent,
The Office of Chief Probation Office,
CMDS Tower-II, 2nd Floor,
Egmore, Chennai.

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

4. Dhira Patra Respondents

PRAYER: Criminal Original Petition 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 detenu by name Dhira Patra and in pursuance direct the IV Metropolitan Magistrate, Saidapet, Chennai to dispose the Crl M.P.No.: Not known of 2021 in Crime No.1 of 2021 on the file of the first respondent as expeditiously.

For Petitioner : Mr.L.Saravanan

For Respondents: Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

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

2. The first respondent registered an FIR in Crime No.1 of 2021 for the offences under Sections 3(2)(a), 4(1) and 5(1)(a)

of Immoral Traffic Prevention Act, 1956 and 370(3) of the Indian Penal Code . The petitioner is the father of the fourth respondent, namely Dhira Patra 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.Not known of 2021 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. The learned counsel for the petitioner brought to the notice of this Court the earlier order passed by this Court in Crl.O.P.No.29421 of 2019, Crl OP No.2525 of 2019, Crl OP No.8202 of 2019 and Crl OP No.8733 of 2019, wherein this Court has dealt with an issue of similar nature.

5. Taking into consideration the earlier order passed by this Court and also the facts and circumstances of this case, this Court is inclined to direct the third 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.

6. This Criminal Original Petition is disposed of, with the above direction. Consequently, the connected miscellaneous petition is also closed.

Sd/-
सहायक न्यायाधीश
Assistant Registrar

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Sub Assistant Registrar

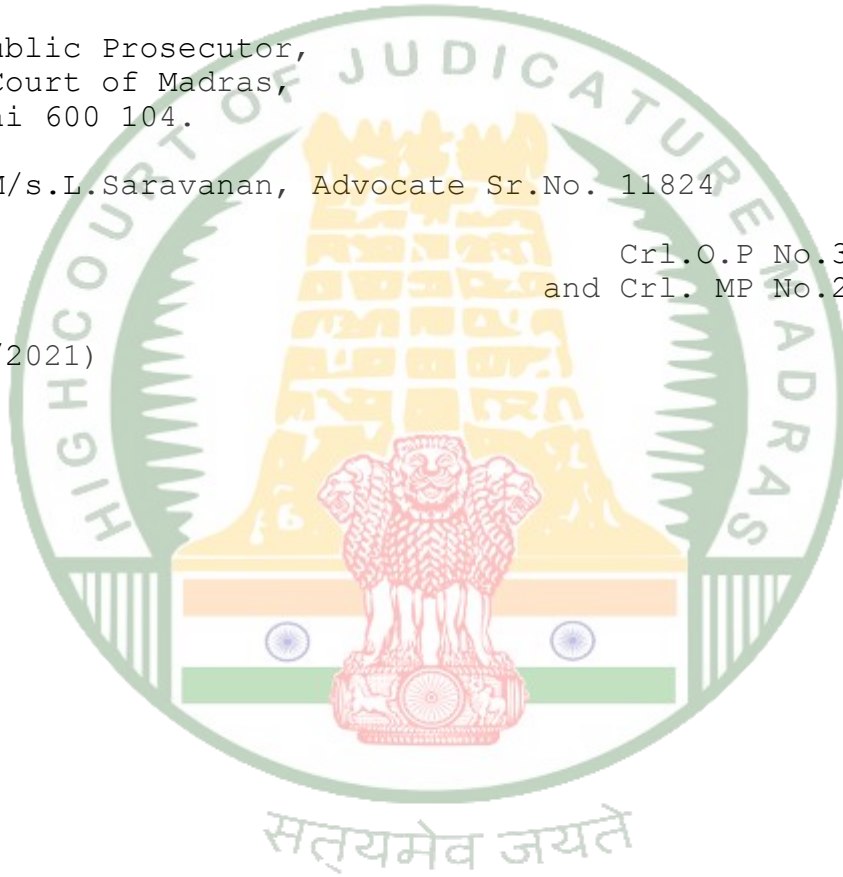
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To
1.The IV Metropolitan Magistrate,
Saidapet, Chennai.

2. The Inspector of Police,
AVS-II,Chindadeipet, Chennai.
3. The Chief Probation Superintendent,
The Office of Chief Probation Office,
CMDS Tower-II, 2nd Floor,
Egmore, Chennai.
4. The Superintendent,
Government Home for Women,
Mylapore, Chennai 600 004.
5. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+1 cc to M/s.L.Saravanan, Advocate Sr.No. 11824

Crl.O.P No.3852 of 2021
and Crl. MP No.2292 of 2021

AJS (CO)
RMP (26/02/2021)



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