

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.4228 of 2021

and

Crl.M.P.No.2685 of 2021

S.Surekha

... Petitioner

Vs.

1. The Inspector of Police,
R-8, Vadapalani Police Station,
Vadapalani, Chennai-26.

2. The Chief Probation Superintendent,
Office of Chief Probation Office,
CMDA Tower-II, second Floor,
Egmore, Chennai.

3. The Superintendent
Government Home for Women,
Mylapore, Chennai-4.

4. Sonam Jathav

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the 3rd respondent to file a report pertaining to the detention of the detenu by name Sonam Jathav D/o.Suresh Jathav aged 37 years and in pursuance direct the learned IV Metropolitan Magistrate, Saidapet, Chennai, to dispose of the Crl.M.P.No.51 of 2021 in Crime No.37 of 2021 as expeditiously as possible.

For Petitioner : Mr.K.M.Devan

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed by the sister of the detainee seeking for 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.37 of 2021 for the offences under Sections 3(2)(a), 4(1) and 5(1)(a) of Immoral Traffic (Prevention) Act, 1956. The petitioner is the sister of the fourth respondent, namely Sonam Jathav was produced before the IV Metropolitan Magistrate Court, Saidapet, Chennai showing her as a victim and she was detained in the home on 24.02.2021.

3 The learned counsel for the petitioner submitted that the petitioner filed a petition in Crl.M.P.No.51 of 2021 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 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 3rd respondent to immediately release the 4th respondent from the Government Home for Women, Mylapore, Chennai. The petitioner before taking her sister 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 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 disposed of, with the above direction. Consequently, the connected miscellaneous petition is also closed.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

rli
To

1.The IV Metropolitan Magistrate, Saidapet
Chennai

2. The Inspector of Police,
R-8, Vadapalani Police Station,
Vadapalani, Chennai-26.

3. The Chief Probation Superintendent,
Office of Chief Probation Office,
CMDA Tower-II, second Floor,
Egmore, Chennai.

4. The Superintendent
Government Home for Women,
Mylapore, Chennai-4.

5.The Public Prosecutor,
High Court of Madras, Chennai.

+1 cc to Mr.K.M.Devan Advocate sr13052/2021

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