

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2021

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN.

Crl.O.P.No.9756 of 2021 and
Crl.MP.No.6037 of 2021

Asha Santra

... Petitioner

Vs.

1. The Inspector of Police,
J-11, Kannagi Nagar Police Station,
Chennai.
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. S.Shanta Halder ... 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 detainee by name Shanta Halder and in pursuance, direct the learned Judicial Magistrate No.II, Alandur, Chennai-16 to dispose of the Crl.M.P.768 of 2021 in Crime No.171 of 2021 on the file of first respondent as expeditiously.

For Petitioner : Mr.S.Santha Thilak

For Respondents

For R1 to R3: Mr.A.Damodaran

Government Advocate (Crl.Side)

O R D E R

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

2. The first respondent registered an FIR in Crime No.171 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 mother of the fourth respondent, viz., Shanta Halder, who was produced before the learned Judicial Magistrate No.II, Alandur, Chennai-16, showing her as a victim and she was detained in the home.

3. The learned counsel appearing for the petitioner submitted that the petitioner filed a petition in Crl.M.P.No.768 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. 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 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 his relationship with the fourth respondent. The fourth respondent, on being released from the home, shall stay at Chennai and report before the learned Judicial Magistrate No.II, Alandur, Chennai-16, once in a week on Monday at 10.30 a.m., after lifting of lock down and commencement of regular functioning of the Court below, 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(CS III)

//True Copy//

Sub Assistant Registrar

rts

To

1.The Judicial Magistrate No.II,
Alandur, Chennai-16.

2.The Inspector of Police,
J-11, Kannagi Nagar Police Station,
Chennai.

3. The Chief Probation Superintendent,
The Office of Chief Probation Office,
CMDA 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.

CrI.O.P.No.9756 of 2021 and
CrI.MP.No.6037 of 2021

BP(CO)
RMP(10/06/2021)



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