

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.11440 of 2021
and
Crl.M.P.No.6648 of 2021

Prasenjit Mahato

... Petitioner

Versus

1.State represented by
The Inspector of Police
J-9, Thuraipakkam Police Station
Chennai.

2.The Chief Probation Officer
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.Maya Mahato

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent to file a report pertaining to the detention of the detenu by name Maya Mahato, D/o.Abdul Mahato, who is aged about 27 years and in pursuance direct the learned Judicial Magistrate No.II, Alandur, to dispose of the Crl.M.P.No.864 of 2021 in Crime No.506 of 2021 as expeditiously.

For Petitioner : Mr.D.GopiKrishnan
for Mr.U.Yuvaraj

For Respondents: Mr.A.Damodaran for R1 to R3
Government Advocate (Crl.Side)

ORDER

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

2. The first respondent registered an FIR in Crime No.506 of 2021 for the offences under Sections 3(2)(a), 4(1) and 5(1)(a) of Immoral Traffic Prevention Act, 1956 and Section 3 of Epidemic Diseases Act, 1897. The petitioner is the grandmother of the fourth respondent. The petitioner's grand daughter namely Maya Mahato was produced before the learned Judicial Magistrate No.II, Alandur, showing her as a victim and she was detained in the home on 09.06.2021.

3. The learned counsel for the petitioner submitted that the petitioner filed a petition in CrI.M.P.No.864 of 2021 before the Court below seeking for the release of the petitioner's grand 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 CrI.O.P.No.29421 of 2019, CrI OP No.2525 of 2019, CrI OP No.8202 of 2019 and CrI 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. The petitioner before taking her grand daughter 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 learned Judicial Magistrate No.II, Alandur, 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/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

dna

To

1.The Judicial Magistrate No.II,
Alandur.

2.The Inspector of Police
J-9, Thuraipakkam Police Station
Chennai.

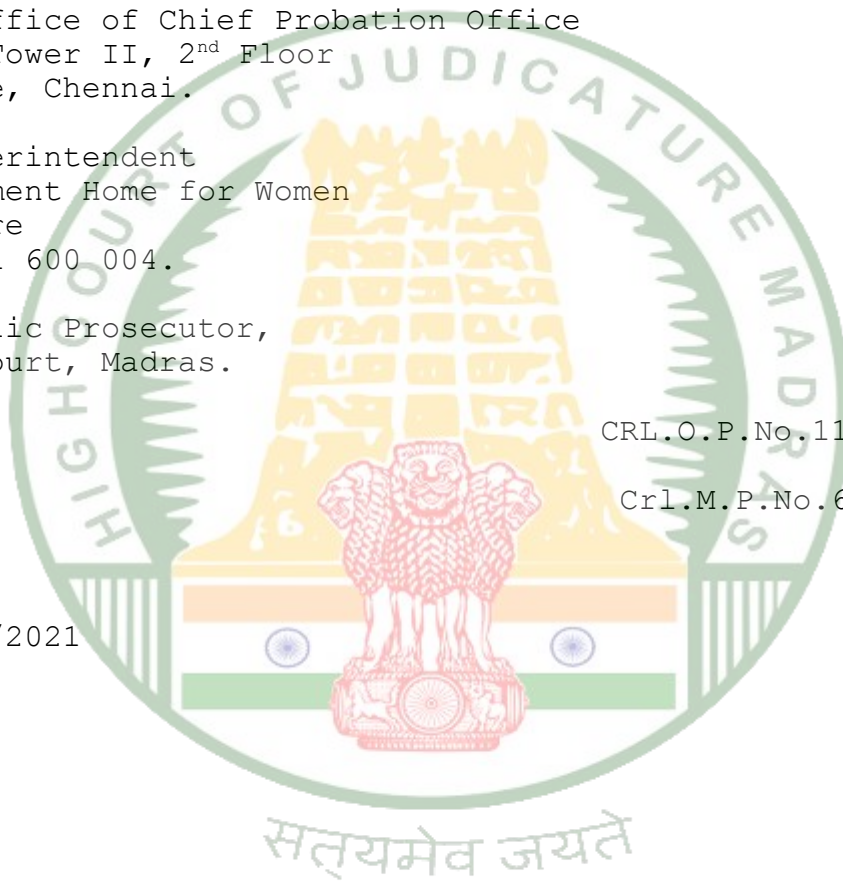
3.The Chief Probation Officer
The Office of Chief Probation Office
CMDA Tower II, 2nd Floor
Egmore, Chennai.

4.The Superintendent
Government Home for Women
Mylapore
Chennai 600 004.

5.The Public Prosecutor,
High Court, Madras.

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