



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2022

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P. No.23448 of 2021
and Crl. M.P. No.13164 of 2021

Salim Ahmed

... Petitioner

Versus

1. Inspector of Police,
S-5 Pallavaram Police Station,
Chennai - 43.
(Crime No.619 of 2021)
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. Asma Begam

... Respondents

Criminal original petition filed under Section 482 of the Code of Criminal Procedure, to grant a general direction directing the 2nd respondent to file a report pertaining to the detention of the deteneu by name ASMA BEGAM and in pursuance direct the learned Judicial Magistrate No.II, Tambaram, Chennai to dispose the Crl.M.P. No.2580 of 2021 in Crime No.619 of 2021 on the file of 1st respondent.

For Petitioner : Mr. N.Sridhar

For Respondent : Mr. E.Raj Thilak
Additional Public Prosecutor

O R D E R

This Criminal Original Petition is filed for a direction directing the 2nd respondent to file a report pertaining to the detention of the deteneu by name ASMA BEGAM and to direct the learned Judicial Magistrate No.II, Tambaram, Chennai to dispose



the CrI.M.P. No.2580 of 2021 in Crime No.619 of 2021 on the file of 1st respondent.

2. The petitioner is the husband of Asma Begam, the fourth respondent herein, who has been detained from 17.11.2021 on the orders of Judicial Magistrate No.II, Tambaram, Chennai, pursuant to involvement in Crime No.619 of 2021. The petitioner being the husband of the detainee had filed a petition before Judicial Magistrate No.II, Tambaram, in CrI.M.P. No.2580 of 2021, to release his wife. Though the petition has been filed on 26.11.2021, the Judicial Magistrate No.II, Tambaram, for want of report from Probationary Officer, has kept the petition pending. Further, the petitioner as well as his wife Asma Begam both hail from Assam and getting report within short time is impossible and due to which the petitioner's wife can be further detained. The petitioner had produced the Election Voter Identity card, Aadhaar card and also the marriage certificate of the petitioner and the detainee. The petitioner is present before this Court through Video Conferencing and submits that he is running a juice shop at Madhavaram Bus stand and resides at Madhavaram.

3. The learned Additional Public Prosecutor appearing for the respondents 1 to 3 submits that the above submissions and credentials have been verified. The petitioner shall produce the documents before the trial Court so that the trial Court may get satisfied.

4. On the submission of both sides and perusal of the materials, it is seen that the detainee is in custody from 17.11.2021. The petitioner is none other than the husband of the detainee. The marriage certificate is also produced. In view of the same, the petition filed by the petitioner in CrI.M.P. No.2580 of 2021 in Cr. No.619 of 2021 before the Judicial Magistrate II, Tambaram, shall be disposed of at the earliest possible considering that the petitioner is none other than the husband of the detainee. With regard to getting particulars regarding his residence and business at Madhavaram, the learned Judicial Magistrate, Tambaram, may grant relief as sought for with appropriate conditions, if he feel so.

5. With the above directions, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

True Copy//

Sub Assistant Registrar

bkn



To

1. The Judicial Magistrate II,
Tambaram.

2. The Inspector of Police,
S-5 Pallavaram Police Station,
Chennai - 43.
(Crime No.619 of 2021)

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,
Madras High Court.

+1cc to Mr.N.Sridhar, Advocate, S.R.No.4443

Cr1.O.P. No.23448 of 2021

CP(CO)
GN(27/01/2022)