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CrI.RC.No.240 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2023

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THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

**CrI.R.C.No.240 of 2023**

V.Kanagavel

... Petitioner

/vs/

The State Represented by  
The Inspector of Police,  
Pallavaram Police Station  
Crime No.735 of 2021

... Respondent

**Prayer :** Criminal Revision Petition filed under section 397 read with 401 of Cr.P.C., to set aside the Order dated 15.11.2022 made in CMP.No.7018 of 22 in Crime No.735 of 2022 on the file of the Judicial Magistrate No.II, at Tambaram and allow the above Criminal Revision Petition.

For petitioner

... Mr.R.Parthiban

For respondent

... Mr.R.Vinothraja,  
Govt. Advocate [Criminal Side]



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## **ORDER**

Challenging the impugned Order dated 15.11.2022 made in CMP.No.7018 of 22 in Crime No.735 of 2022 on the file of the Judicial Magistrate No.II, at Tambaram, the present Criminal Revision Case has been filed.

2. The learned counsel for the petitioner submitted that the petitioner filed a petition before the trial Court seeking interim custody of the victim Mathulatha, wife of Lakshmana Narayanan and the respondent also registered a case against the accused person in Crime No.735 of 2022 and rescued the victim. The victim belongs to Karnataka State. According to the petitioner, the victim was working under him and she was maid in his house. Hence, the petitioner seeks interim custody of the victim. The trial Court dismissed the petition on the ground that the petitioner is not able to produce any relevant document to show the relationship between the petitioner and the victim and the probation Officer also reported that the petitioner is not related



to the victim. Aggrieved over this, the present revision has been filed seeking interim custody of the victim.

3. The learned Government Advocate [Criminal Side] submitted that in the statement given by the victim before the respondent police, she has stated that due to family difficulties, she came from Bangalore to Chennai and contacted one Manimaran and the said Manimaran involved the victim in prostitution and on 16.09.2022, the Pallavaram police rescued her from prostitution home and she has not stated anything about the petitioner. However, the Probation Officer also sent a report stating that the petitioner is no way related to the petition. Under these circumstances, there is no reason to interfere with the Order of the trial Court and prayed for dismissal of this revision.

4. Heard the learned counsel for the petitioner and the learned Government Advocate [Criminal Sided].



5. A perusal of the entire records reveals that a case has been registered in crime No.735 of 2022 for the offences under sections Immoral Traffic [Prevention] Act, 1956 against the accused person and the respondent police rescued the victim from the prostitution home. It further reveals that the victim is a resident of Karnataka State and there is no relationship between the petitioner and the victim and the victim was rescued from the prostitution home while she was put into prostitution by the accused person. The statement of the victim and the report of the Probation Officer reveals that there is no legal relationship between the the petitioner and the victim. Under these circumstances, I find no ground to interfere with the impugned Order and there is no merit in this revision and the petitioner is not entitled to get interim custody of the victim.

6. Accordingly, this Criminal Revision Case is dismissed.

**08.06.2023**

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1. The Judicial Magistrate No.II,  
Tambaram.
2. The Inspector of Police,  
Pallavaram Police Station.
3. The Public Prosecutor,  
High Court, Madras.



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**V.SIVAGNANAM, J.**

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**08.06.2023**