

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2026

CORAM:

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THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 405 of 2026

C.Divya
D/o. Chidambaram,
No.84B, 3rd Cross Street,
Sanjeevipuram,
Bagayam,
Thorapadi Post,
Vellore District - 632 002.

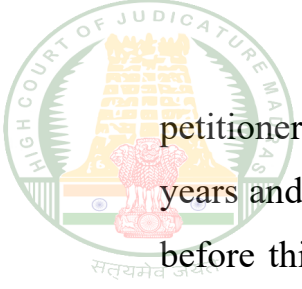
..Petitioner(s)

Vs

1. The Superintendent of Police,
District Police Office Building,
Behind Collector Office,
Sathuvacheri, Vellore - 632 009.
2. The Inspector of Police,
Bagayam Police Station,
Thorapadi,
Vellore District - 632 002.
3. S.Abilash
S/o S.Suyamburajan,
24/37, Madhana Hospital,
Avayambalpuram,
Mayiladuthurai,
Mayiladuthurai,
Nagapattinam,
Tamil Nadu - 609 001.

..Respondent(s)

Petition filed under Article 226 of the Constitution of India praying to
issue a Writ of Habeas Corpus, directing the respondents police to find out the



petitioner's minor Childrens viz., Sana Hasini.A D/o. S.Abilash aged about 9 years and Diya Vandana Rose.A D/o. S.Abilash aged 3 years and produce them before this Hon'ble Court and handover the custody of the minor childrens to the petitioner based on the complaint dated 20.02.2026 within a time frame as may be fixed by this Honble Court.

For Petitioner(s): Mr.M.Mohanraj
for MR. M. KEMPRAJ

For Respondent(s): Mr.C.R.Malarvannan,
Counsel For Government Of Tamil Nadu
(Criminal Side) For R1and R2
Mr.D.Ravichandran For R3

ORDER

(Made by Dr.Anita Sumanth J.)

Read this order in continuation of and in conjunction with earlier orders dated 17.03.2026 and 15.04.2026 that read as follows:-

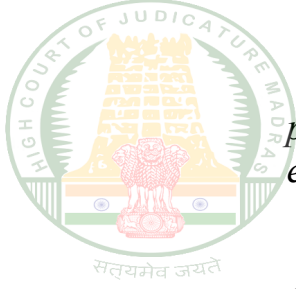
17.03.2026

This HCP is filed by the mother of Sana Hasini (born on 19.11.2016 and Diya Vandana Rose (born on 04.01.2023) (in short 'detenus').

2. We have heard the learned counsel appearing for the petitioner and R3, father of the detenus, and conversed with the parties as well.

3. On the last occasion, we had referred the matter to mediation and since the detenus were with R3, we did not disturb the arrangement till today.

4. The parties have also appeared before the Mediator on 14.03.2026 and an interim report dated 14.03.2026 is placed before us, wherein the learned Mediator states that efforts are on-going to reconcile the differences between the



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petitioner and R3 and seeks some more time to continue the efforts.

5. Since the elder child has got her examinations till the end of March, 2026, she will continue with R3 and attend to her examinations.

6. Diya Vandana Rose will stay with the petitioner till the next date of hearing. The parties are at liberty to meet, such that the two sisters may spend time with each other.

7. The Mediation will continue and is next posted on 18.03.2026 at 11.00 a.m.

8. List on 06.04.2026 under the same caption.

15.04.2026

Read this order in continuation of and in conjunction with orders dated 17.03.2026 and 06.04.2026.

2. The Mediator has reported that no settlement had been arrived at. Hence, the mediation has failed.

3. We have also conversed with the petitioner today. Though R3 appears to be inclined to continue the efforts of mediation, the petitioner is categorical that she does not wish to do so. Hence, it is for the parties to work out their remedies as far as their matrimonial differences are concerned.

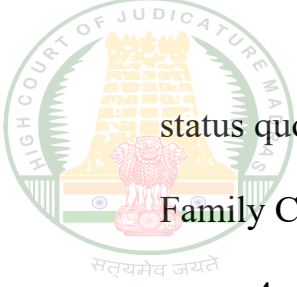
4. In this HCP, we are concerned only with the well being of the children. The elder child, Sana Hasini, has now completed her examinations. Hence, from today till the next date of hearing, the custody of both detenus, Sana Hasini, aged 9 years and Vandana Rose, aged 3 years, shall be with the petitioner.

5. We make it clear that R3 and the petitioner are at liberty to be with their children together. R3 and his parents are also at liberty to visit the petitioner and their children at any time, subject to their mutual convenience.

6. List on 02.06.2026. Registry to remove the caption.

2. Parties are present in Court today.

3. As far as the reconciliation qua the petitioner and R3 is concerned, it is



status quo, and the petitioner would submit that she is taking efforts to move the Family Court for necessary orders relating to custody and other issues.

4. As far as the custody of the children is concerned, the elder daughter, Sana Hasini who has been residing with the father and studying in a school in Mayiladuthurai shall be handed back to R3 as we do not wish to disturb the child from surroundings that are familiar to her. The younger child Diya Vandana Rose who has been with the petitioner / mother, shall be with the mother.

5. With this, this habeas corpus petition is closed. No costs.

[A.S.M, J.] [S.M, J.]
02.06.2026

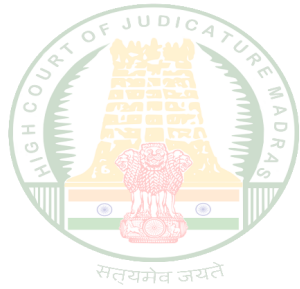
Index: Yes/No

Neutral Citation: Yes

ssm

To

1. The Superintendent of Police,
District Police Office Building,
Behind Collector Office,
Sathuvacheri, Vellore - 632 009.
2. The Inspector of Police,
Bagayam Police Station,
Thorapadi,
Vellore District - 632 002.
3. The Public Prosecutor, High Court, Madras.



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HCP No. 405 of 2



DR.ANITA SUMANTH J.
AND
SUNDER MOHAN J.

SSM

HCP No. 405 of 2026

02-06-2026