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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 433 of 2026

Venkatesan
S/o. Rengasamy,
No.33, Karunanithi Street,
Ambedkar Nagar,
Chitlapakkam,
Tambaram Taluk,
Chennai.

..Petitioner(s)

Vs

1. The Commissioner of Police,
Tambaram Commissionerate Office,
Tambaram - 600 045.
Chennai.
2. The Inspector of Police,
T13, Chitlapakkam Police Station,
Pallikaranai,
Chennai.
3. R.Manoj
S/o. Raja,
No.33, 1st Floor, Karunanithi Street,
Ambedkar Nagar,Chitlapakkam,
Tambaram Taluk,
Chennai.

..Respondent(s)

Prayer: Habeas Corpus petition filed under Article 226 of Constitution of India for issuance of a Writ of Habeas Corpus to direct the Second Respondent to produce the detenues 1) Salomi, Wife of Venkatesan aged 28 years and 2) minor Female Child, V.Devi, aged 10 and 3) V.Femina aged 5 years who were



missing from 27.01.2026 before this Hon'ble Court from the illegal custody of the 3rd Respondent and set them at Liberty.

For Petitioner(s): Mr.T.Ravi

For Respondent(s): Mr.R.Muniyapparaj
Additional Public Prosecutor
Assisted By
Mr.N.Narkeeran
(for R1 & R2)
R3 – Served

ORDER

(Order of the Court was made by Dr.Anita Sumanth J.)

This Habeas Corpus Petition is filed by the husband and father of the detenus, who states that the detenue Salomi and two minor children V.Devi and V.Femina were missing from 27.01.2026. He has arrayed his nephew, i.e., his sister's son, as the third respondent and indicates that the detenue and the children may be with R3.

2. On the earlier occasion, on 12.03.2026 when the matter was listed, we, after conversing with the petitioner and the detenus as well as R3, had referred the matter to the Tamil Nadu Mediation and Conciliation Center to attempt an amicable resolution. To be noted, based on our conversation with the petitioner and the detenue, we were aware of the position that the detenue Salomi, was in a relationship with R3 and preferred to continue the same.

3. The petitioner, for his part, did not mind if the detenue were to resume matrimonial relation with him. In any event, and whatever may be the fate of



their marriage, he has expressed his unease with the intentions of R3 qua the two minor Children, V.Devi and V.Femina.

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4. The matter was listed on 17.03.2026 and the interim report of the Mediator was annexed with a settlement agreement to the effect that the petitioner and the detinue Salomi have agreed to reside together with their children and that R3 would not interfere with their rights. Since neither the detinue Salomi nor the minor children were present before Court on 17.03.2026, we listed this matter today for their appearance.

5. The detinue paints an entirely different picture of events today. She says that she was coerced into signing the settlement agreement, is not interested and has no intention of resuming her life with the petitioner, and intends to live only with R3. She says that she is in the process of taking legal action before the Family Court for dissolution of her marriage with the petitioner.

6. In the aforesaid circumstances it is clear that she is not under any compulsion of any party, and is not being detained by any person against her will.

7. As far as the minor children are concerned, they are with the detinue and it is for the petitioner and the detinue to come to a decision, in regard to their custody.



8. The detinue and her children are presently in Thanjavur, and the detinue states that she has admitted the children, aged 12 and 6 years in appropriate schools. We record this statement.

9. However, we do appreciate the apprehension expressed by the petitioner qua the minor children as recorded in paragraph 3 supra. We hence direct the learned Additional Public Prosecutor to obtain a report from the Probation Officer of the jurisdictional police station where the detinue, Salomi, and her children V.Devi and V.Femina reside, and file the same with the Registry of the Court once in two months, for a period of one year. This is solely to ascertain their well being and allay the apprehensions of the petitioner in regard to their future.

10. This Habeas Corpus Petition is disposed in terms of this order.

(A.S.M.,J.) (S.M.,J.)

23-03-2026

sl

Index: Yes/No

Speaking order

Neutral Citation: Yes

Note: Registry to place the report, both before us as well as before the Hon'ble Judge heading the Criminal Bench at the relevant point in time.



1. The Commissioner of Police,
Tambaram Commissionerate Office,
Tambaram - 600 045.
Chennai.

3. The Public Prosecutor, High Court of Madras.





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DR.ANITA SUMANTH J.

AND

SUNDER MOHAN J.

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