



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 730 of 2026

Kaviya
D/o.Rajendran
Residing at No.11th Ward, Kanakkupillai Street,
Karuppur Omalur Taluk Salem - 636 012

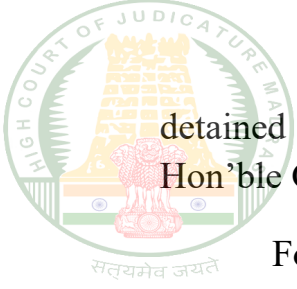
..Petitioner(s)

Vs

1. The Deputy Superintendent of Police, Salem
District Salem
2. The State Rep. by its Inspector of Police
Omalar Police Station, Salem District.
3. Sakthivel
S/o.Gopal
Kodugoor, Alapatti Post, Krishnagiri District.
4. Vasantha Kumar.M
presently residing at
10, Ward, V.O.C.Nagar,
Omalar, Salem, Tamil Nadu – 636 455.
(R4 suo motu impleaded vide order
dated 02.06.2026 in HCP No.730/26)

..Respondent(s)

Petition filed under Article 226 of the Constitution of India praying to issue a Writ or order or Direction particularly in the nature of habeas corpus directing the respondents herein to produce the body of the petitioner's younger sister Ramya, D/o.Rajendran, aged about 31 years, who is now illegally



detained by the 3rd respondent, Sakthivel aged about 40 years, before this Hon'ble Court and set her Liberty.

For Petitioner(s): Mr.J.Elanjchezhen

For Respondent(s): Mr.C.R.Malarvannan
Counsel for Govt. Of Tamil Nadu
(Criminal Side)
for R1, R2

ORDER

(Made by Dr.Anita Sumanth, J.)

Read this order in continuation of and in conjunction with earlier orders.

Orders dated 28.04.2026 and 02.06.2026 traces the history of the matter and are extracted below:-

"28.04.2026

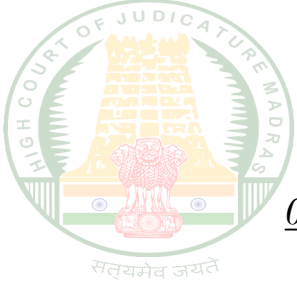
Read this order in continuation of and in conjunction with order dated 21.04.2026.

2. The detenue and R3 have been secured and are produced in Court today. The petitioner, who is a transgender, brother of detenue, is also present in Court today.

3. Incidentally, we find that the cause title and the affidavit are incorrect as that do not reflect proper status of the petitioner or her relationship with the detenue. Let instructions be obtained by learned counsel as to why and how this has transpired and also in regard to the signatures on the affidavit supporting the petition.

4. The mother of petitioner and the detenue along with the daughter of detenue, shall be present in Court on 02.06.2026. The detenue's daughter, Kayal (D.O.B. 26.01.2016), is stated to be in the custody of the petitioner and her mother. Let the present arrangement continue till 02.06.2026. The mother of the petitioner shall ensure that the child is well taken care of and is responsible for her well being till the next date of hearing.

5. List on 02.06.2026.



02.06.2026

Read this order in continuation of and in conjunction with order earlier orders.

2. We suo motu implead Vasantha Kumar.M, presently residing at 10, Ward, V.O.C.Nagar, Omalur, Salem, Tamil Nadu – 636 455 as R4. Registry to correct array.

3. All parties will be present in Court on the next date of hearing. Mr.Malarvannan, learned counsel for Government of Tamil Nadu (Criminal Side) will ensure R4's attendance as well.

4. The detenue will go to her mothers house, accompanied by the authorities, collect all her belongings, including certificates and phone and hand them over to the authorities, who will produce them in the Court on the next date of hearing.

5. List on 04.06.2026 at 12.00 noon.”

2. As directed, R4, who is the husband of the detenue, is present in Court today and he gives us a different version of the events. Our concern at this stage is only for the child Kayal and we are assured by R4 that he will take good care of her.

3. The detenue's date of birth is 12.11.1995 and she is in a relationship with R3 and does not wish to go back to her home.

4. Since the detenue is not in the illegal custody, we close this habeas corpus petition. No costs.

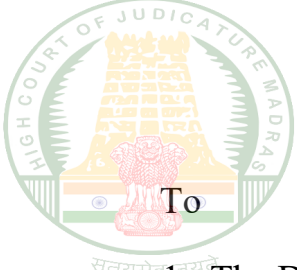
(A.S.M.,J.) (S.M.,J.)

04-06-2026

Neutral Citation: Yes

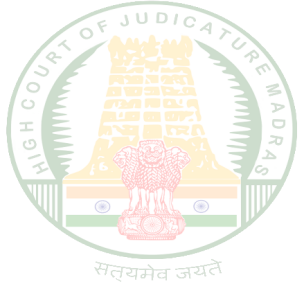
Index : Yes/No

ssm



To

1. The Deputy Superintendent of Police,
Salem District, Salem.
2. The Inspector of Police
Omalur Police Station, Salem District.
3. The Public Prosecutor, High Court, Madras.



WEB COPY

HCP No. 730 of 2



DR.ANITA SUMANTH, J.
AND
SUNDER MOHAN, J.

ssm

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