



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 20050 OF 2026 (GM-RES)

BETWEEN:

XXXXXXX
XXXXXXX
XXXXXXX
XXXXXXX

...PETITIONER

(BY SMT. ANANDITHA REDDY., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY THE STATE PUBLIC PROSECUTOR,
THROUGH HEBBAL POLICE STATION,
MYSURU CITY, KARNATAKA-570001.
2. CHELUVAMBA HOSPITAL
MYSORE MEDICAL COLLEGE AND
RESEARCH INSTITUTE (MMCRI)
HAVING ITS ADDRESS AT IRWIN ROAD,
MYSURU, KARNATAKA 570001
3. CHILD WELFARE COMMITTEE, MYSURU
HAVING ITS OFFICE AT
BALAKIYARA BALA MANDIRA,
LALITHA MAHAL ROAD,
SIDDHARTHA NAGAR, MYSURU CITY,
KARNATAKA - 570032.
4. DISTRICT LEGAL SERVICES AUTHORITY,
MYSURU
HAVING ITS OFFICE AT
ADR BUILDING (NEW COURT BUILDING)
BEHIND B.G.S. APOLLO HOSPITAL,
JAYANAGARA, MALALAVADI,
MYSURU- 570014

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



5. DISTRICT CHILD PROTECTION UNIT,
NO.15/17, 1ST FLOOR, ANJANADRI MAIN ROAD,
2ND PHASE, 4TH STAGE, VIJAYANAGARA,
MYSURU-570030.
REPRESENTED BY
DISTRICT CHILD PROTECTION OFFICER.

...RESPONDENTS

(BY SRI. SHAMANK NAIK., AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS, OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION, DIRECTING THE RESPONDENT NO.2 TO CONSTITUTE A MEDICAL BOARD TO EXAMINE THE PETITIONER AND OPINE ON WHETHER SHE IS FIT AND MEDICALLY ABLE TO UNDERGO THE PROCEDURE FOR MEDICAL TERMINATION OF HER PREGNANCY, AND, SUBJECT TO SUCH OPINION, TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE SAID PROCEDURE AT THE EARLIEST AND ETC.

THIS WRIT PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The Petitioner, who is the mother of X (minor) is before this Court seeking for the following reliefs:

A. Issue a Writ of Mandamus, or any other appropriate Writ, order or direction, directing the Respondent No.2 to constitute a Medical Board to examine the Petitioner and opine on whether she is fit and medically able to undergo the procedure for medical termination of her pregnancy, and, subject to such opinion, to take all steps necessary to carry out the said procedure at the earliest;

B. Issue a Writ of Mandamus, or any other appropriate Writ, order or direction, directing



Respondent No.3 to expeditiously consider and dispose of the representations dated 29.06.2026 submitted by the Petitioner and her mother;

C. Issue a Writ of Mandamus, or any other appropriate Writ, order or direction, directing Respondent No. 3 to extend all necessary assistance and financial relief under Rule 8 of the POCSO Rules. 2020 towards the victim.

D. Issue a Writ of Mandamus, or any other appropriate Writ, order or direction, directing the Respondent No.2 to preserve the foetal material resulting from the procedure in a manner appropriate for subsequent DNA testing and forensic analysis;

E. Issue a Writ of Mandamus, or any other appropriate Writ, order or direction, directing the Respondent No.1 to ensure that all steps necessary for conducting DNA testing and forensic analysis of the preserved foetal material are taken, for the purposes of investigation and trial of FIR bearing Crime No. 0041/2026 (Annexure C);

F. Issue a Writ of Mandamus, or any other appropriate Writ, order or direction, directing the Respondent No.4 to disburse a sum of INR 3,00,000/- (Rupees Three Lakhs Only) to the Petitioner as compensation under the Karnataka Victim Compensation Scheme, 2011;

G. Grant such other relief(s) as this Hon'ble Court deems fit in the interests of justice and equity.

2. The above petition had been filed on the ground that X being a victim of an offence under Sections 5(j)(ii), 5(l) and 6 of the Protection of Children from Sexual Offences Act, 2012. The minor having conceived does not wish to continue with the pregnancy and it



is in that background that medical termination of pregnancy was sought for.

3. This Court vide order dated 02.07.2026 has directed to Constitution of Medical Board. A report of the Medical Board has been submitted today. A perusal of the report indicates that:
 - 3.1. The Medical Board has denied the procedure.
 - 3.2. The reason given by the pediatrician is that baby is likely to be born alive.
 - 3.3. Anesthesiologist has opined that there being moderate anemia, not suitable to carry out the procedure.
 - 3.4. The OBG has indicated that there is an increased chance of failed induction requiring operative interventions and anemia corrections.
 - 3.5. In effect, the Medical Board having stated that the minor is at a risk due to anemic status and tender age. They have indicated that medical termination of pregnancy cannot be carried out.
4. In the face of such a report by the Medical Board, this Court cannot direct the medical termination of pregnancy of the petitioner.



5. In that view of the matter, the prayers which have been sought for would have to be rejected. However, liberty would always be available to the minor to avail of the remedies under the Juvenile Justice (Care and Protection of Children) Act, 2015, including surrender of the child, if she is unable to take care of the child.
6. Since FIR has been registered, the respondent-State would have to process the application filed by the petitioner for compensation as per the applicable procedure and disburse the said amount at the earliest.
7. At any rate the initial payment will be made within 30 days from today.
8. With the above observations, the petition stands ***disposed.***
9. The respondents are directed to comply with the directions issued in W.P.No.30971/2025.

**Sd/-
(SURAJ GOVINDARAJ)
JUDGE**