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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

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THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

W.P.No.22909 of 2025

XXX

.. Petitioner

Vs.

1.The Inspector of Police
AWPS Palladam
Tiruppur District, Tamil Nadu 641664.

2.The Dean
Government Medical College
& Hospital Tirupur, 18
Dharapuram Road, Tirupur 641608.

3.The State
Rep.by Secretary
Health Department
Secretariat, Fort St. George
Chennai 600 009.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to medically terminate the pregnancy of the petitioner's daughter M, in accordance with Section 5 of the Medical Termination of Pregnancy Act, 1971, expeditiously.



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For Petitioner : Ms.Deepika Murali

For Respondents : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side) for R1

Mrs.M.Sneha, Special Counsel
for R2 & R3

ORDER

This writ petition has been filed for a direction to the 2nd respondent to medically terminate the pregnancy of the petitioner's daughter in accordance with Section 5 of the Medical Termination of Pregnancy Act, 1971.

2.Heard Ms.Deepika Murali, learned counsel for the petitioner, Mr.Leonard Arul Joseph Selvam, learned Government Advocate (Crl.Side) for R1 and Mrs.M.Sneha, Special Counsel for R2 & R3.

3.The petitioner is the father of the minor girl, who is aged about 13 years. The elder daughter was married to one Vijayakumar and she was pregnant and hence, she was out of her place for about an year. It is alleged that the accused person had



sexually assaulted the minor girl and as a result, she became pregnant. This fact came to light very recently which resulted in registration of an FIR in Crime No.21 of 2025 on 18.06.2025, on the file of the 1st respondent.

4.The petitioner's daughter is currently 25 weeks pregnant. A report has been received from the Government Medical College, Tiruppur and the Medical Board has opined that the termination of pregnancy can be allowed and that the minor girl is physically fit to undergo the process.

5.Since the term of pregnancy has crossed 24 weeks, the Board will not be able to undergo the process of termination of pregnancy without the order of this Court. Hence, the present writ petition has been filed before this Court.

6.Taking into consideration the facts and circumstances of the case and the materials placed before this Court and in order to ensure that the minor girl does not carry the child as a result of the sexual assault which has taken place and considering the report of the Medical Board, this Court is inclined to direct the 2nd respondent to proceed further to medically terminate the pregnancy of the petitioner's daughter. Accordingly, the 2nd respondent shall ensure that the procedure is carried out forthwith and the guidelines in this regard shall be strictly followed.



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N. ANAND VENKATESH, J.

kp

This writ petition is disposed of with the above directions. No costs.

23.06.2025

Index : Yes/No

Neutral Citation : Yes/No

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Note: Issue order copy on 23.06.2025

To

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Tamil Nadu 641664.

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