



Writ Petition No.28730 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 30.07.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.28730 of 2025

Sudha
W/o.Malaikallan

Petitioner

Vs

1.The State represented by
The Secretary,
Ministry of Home Affairs,
Fort St.George, Chennai.

2.The Dean,
Government Medical College Thiruvapur,
Thiruvapur.

3.The Inspector of Police,
All Women Police Station,
Thiruvapur.
Crime No.23 of 2025

4.The Child Welfare Committee,
Mannargudi Taluk,
Thiruvapur.

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the second respondent to terminate the pregnancy of the 12 year old victim girl.

For Petitioner : Ms.S.Sridevi



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For Respondents : Mr.E.Vijay Anand
Additional Government Pleader
[R1 & R4]
Mrs.M.Sneha, Special Counsel [R2]
Mr.V.Meganathan,
Government Advocate [Crl.side] [R3]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the second respondent to terminate the pregnancy of the victim girl.

2. The petitioner is the mother of the victim girl. The case of the petitioner is that the victim girl was subjected to sexual assault and based on the same, a First Information Report came to be registered in Crime No.23 of 2025 on the file of third respondent for various offences under the POCSO Act. The victim girl became pregnant and she is now pregnant for more than 24 weeks. It is under these circumstances, the present writ petition came to be filed before this Court.

3. Learned Special Counsel appearing for the second respondent has received written instructions. The Medical Committee which examined the victim girl found that she is now 27 weeks of



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pregnancy. Her vitals are stable except for mild anemia, which can be corrected through blood transfusion. The decision taken by the Committee consisting of Dean and four other specialists was also placed before this Court.

4. The victim girl is pregnant for more than 27 weeks. Therefore, the permission of the Court is required to terminate the pregnancy. Hence, there shall be a direction to the second respondent to immediately make arrangements for the termination of pregnancy of the victim girl. In all cases involving termination of pregnancy where a criminal case is pending, samples will be taken for DNA test for both mother and the conceptus (foetus and placenta) and it shall be sent to the Forensic Laboratory through the concerned police and a report shall also be received from the Forensic Laboratory. Hence, the regular procedure to be followed for preservation of the conceptus (foetus and placenta) shall be complied with as per the guidelines.

N.ANAND VENKATESH, J



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

30.07.2025

Note: Issue order copy today [30.07.2025]

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order

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To

1.The Secretary,
Ministry of Home Affairs,
Fort St.George, Chennai.

2.The Dean,
Government Medical College Thiruvapur,
Thiruvapur.

3.The Inspector of Police,
All Women Police Station,
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