



WPMP CRL.(MD). No.731 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 05/06/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

WPMP CRL.(MD). No.731 of 2026

in

WP CRL.(MD)No.2497 of 2026

K.Surya

... Petitioner

Vs

1. The State of Tamil Nadu Rep. by,
The Superintendent of Police,
Tirunelveli District.

2. The Inspector of Police,
All Women Police Station,
Valliyoor,
Tirunelveli District.

3. XXXXX

4. The Dean,
Tirunelveli Medical College Hospital,
Tirunelveli.

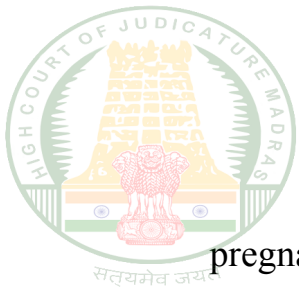
(R4 is suo motu impleaded
vide Court order dated 05.06.2026)

... Respondents

PRAYER :-

To issue an INTERIM DIRECTION directing The Dean, Tirunelveli Medical College Hospital to terminate the 3rd respondents ongoing

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pregnancy of 14 weeks in accordance with the section 3(2)(b) of the Medical Termination of pregnancy Act, 1971.

For Petitioner : Mr. G. Subiksha,
Advocate.

For Respondent : Mr.S.Arun Arockiasamy - for R1 to R4
Counsel for State of TN (Crl.Side)

ORDER

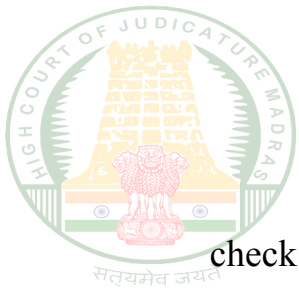
The third respondent has filed this Writ Miscellaneous Petition Criminal, seeking to issue a direction, directing the Dean, Tirunelveli Medical College Hospital, Tirunelveli, to terminate her subsisting pregnancy of 14 weeks in accordance with the Section 3(2)(b) of the Medical Termination of Pregnancy Act, 1971.

2. The learned counsel for the third respondent submitted that on 17.08.2025, the third respondent was working as an assistant in a Laptop assembling company by name "Smiley" situated in Pannur in Thiruvallur District. The third respondent came to know the petitioner through one Sivaranjani who is a mutual relative. Later on, they developed a friendship for days and eventually they both fell in love with each other.



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Since then they have been in a consensual relationship. They were emotionally attached to each other and with mutual consent, shared an intimate physical relationship on several occasions since the month of October, 2025. As a consequence, they had intimate physical relationship several times. Eventually on the month of March, 2026, the third respondent skipped her periods and on testing she came to know that she is Pregnant. After learning about the pregnancy, the petitioner insisted the third respondent to abort the child to which she refused. The petitioner then gradually distanced himself from the third respondent and has now refused to take responsibility for the pregnancy. He is avoiding (all sort of communication and is not willing to continue the relationship or to live with her. Despite her repeated efforts to contact him and seek support, he has failed and neglected to respond. Therefore, the third respondent approached the second respondent and made a complaint on 29.03.2026 and the same was registered as CSR in CSR No. 112 of 2026 dated 30.03.2026. The petitioner appeared before the respondent on 30.03.2026 and stated that he is ready to marry the third respondent on 24.04.2026 once his exams are over and also made a written statement to that effect. After leaving for exams, he never cared or even made a call to



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check on me. Only then she realised that he had cheated on her. The sudden abandonment by the petitioner has caused the third respondent severe emotional trauma, mental agony, stress, anxiety, and uncertainty regarding her future and the future of the unborn child.

3. Learned counsel for the third respondent further submitted that the petitioner has come up with a Writ petition only to get rid of the third respondent as well as the child and currently the third respondent is 14 weeks pregnant. At this situation, the third respondent would be forced to raise the child as a single mother. The prospect of raising a child alone subjects the third respondent to severe mental anguish and uncertainty regarding the child's future welfare, education, healthcare, and overall development. Further, she apprehends that both the third respondent and the child may be exposed to social stigma, emotional hardship, and economic difficulties, which would significantly affect her quality of life and future prospects. Motherhood is a lifelong responsibility requiring emotional readiness, financial stability, and a supportive environment for the upbringing of a child. At present, the third respondent do not consider herself prepared to undertake such responsibilities. In the



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exercise of her reproductive autonomy and personal choice, she has therefore decided that termination of the pregnancy would be in her best interest. Compelling the third respondent to continue an unwanted pregnancy against her wishes would cause her severe mental distress, emotional hardship, and adversely affect her personal social, and professional life. She firmly believe that every woman has the right to make decisions concerning her own body and reproductive future, and she has exercised that choice after due reflection and deliberation.

4. Under such circumstances, the third respondent has come before this Court to direct the Dean, Tirunelveli Medical College Hospital, to terminate the third respondent's ongoing pregnancy of 14 weeks. In view of the same, the Dean, Tirunelveli Medical College Hospital, Tirunelveli, is suo motu impleaded as fourth respondent in this petition. Registry is directed to carry out necessary amendment in the cause title.

5. The second respondent is directed to produce the third respondent before the fourth respondent on **06.06.2026**. The fourth respondent is directed to conduct a complete medical examination on the



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health condition of the third respondent and submit a report before this Court, as to the feasibility of terminating the subsisting pregnancy of the third respondent, on 08.06.2026.

6. Post the matter on **08.06.2026**.

05.06.2026

Note : Issue order copy on **05.06.2026**

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To

1. The Superintendent of Police, Tirunelveli District.
2. The Inspector of Police, All Women Police Station, Valliyoor, Tirunelveli District.
3. The Dean, Tirunelveli Medical College Hospital, Tirunelveli.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L. VICTORIA GOWRI,J

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Date : 05/06/2026