



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 7597 OF 2026 (GM-RES)

BETWEEN:

1. MS.X
(MINOR REP. BY HER MOTHER
SMT. REKHA)
AGED ABOUT 48 YEARS
R/AT NO.2197, 3RD CROSS
THAVAREKERE
MANDYA-571 401.

...PETITIONER

(BY SMT. URMILA PULLAT, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY
THE CHIEF SECRETARY
VIDHANA SOUDHA, BANGALORE-560001.
2. MANDYA INSTITUTE OF MEDICAL
SCIENCES AND TEACHING HOSPITAL
MANDYA (DISTRICT HOSPITAL MANDYA)
TAMILIANS COLONY, NEHRU NAGAR
MANDYA-571401.
REPRESENTED BY ITS DIRECTOR
3. STATE OF KARNATAKA
BY MANDYA EAST PS
REPRESENTED BY SPP
HIGH COURT OF KARNATAKA
BENGALURU - 560 001.





4. KARNATAKA STATE LEGAL SERVICES AUTHORITY
1ST FLOOR, NYAYA DEGULA
H.SIDDAIAH ROAD
BENGALURU-550 027
REPRESENTED MEMBER SECRETARY

5. DISTRICT LEGAL SERVICES AUTHORITY
MANDYA, NEW ADR BUILDING
NEAR DISTRICT COURT COMPLEX
MANDYA-571 401.
REPRESENTED BY ITS
MEMBER SECRETARY

6. CHILD WELFARE COMMITTEE
MANDYA
THE DISTRICT CHILD PROTECTION UNIT
2083/5, 4TH CROSS, SUBHASH NAGAR
MANDYA-571 401.
REPRESENTED BY ITS CHAIRPERSON

...RESPONDENTS

(BY SMT. NAVYA SHEKHAR, AGA FOR R1 AND R3 TO R6;
SMT. SUMANA BALIGA, ADVOCATE FOR R2)

THIS W.P. IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT RESPONDENT NO.2 HOSPITAL TO ADMIT / EXAMINE THE PETITIONER AND TAKE NECESSARY MEDICAL STEPS TO TERMINATE THE PREGNANCY OF THE PETITIONER, DIRECT THE RESPONDENT NO.2 HOSPITAL TO PRESERVE THE TERMINATED FETUS/ PRODUCT OF CONCEPTION FOR THE PURPOSE OF DNA TESTING AND ANALYSIS AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM



ORAL ORDER

The captioned petition is filed seeking the following reliefs:

A. Issue an appropriate Writ of Mandamus or any other appropriate writ, order or direction, directing Respondent No.2 Hospital to admit/examine the Petitioner and take necessary medical steps to terminate the pregnancy of the Petitioner;

B. Issue a Writ of Mandamus or any other appropriate Writ, order or direction directing the Respondent No.2 Hospital to preserve the terminated fetus/product of conception for the purpose of DNA testing and analysis;

C. Issue a Writ of Mandamus or any other an appropriate Writ, order or direction directing Respondent No.2 Hospital, to take any and all steps to conduct DNA tests at the State Forensic Laboratory, Madivala, Bangalore of the terminated fetus/product of conception for the purpose of investigation and trial in Crime No.26/2026 at the Respondent No.3-Mandya East Police Station;

D. Issue a Writ of Mandamus or any other an appropriate Writ, order or direction directing the Respondent No.4, Karnataka Legal Services Authority



and Respondent No.5 - DLSA, to disburse a sum of Rupees Three Lakhs and/or any other further amounts to the Petitioner in order for her to meet the expenses of medical treatments, counseling services, and any other medical care as she may be required;

E. Grant such or other reliefs as this Hon'ble Court deems fit in the facts and circumstances of the above case as also compensation for thier losses and costs in the above in the interests of justice and equity."

2. This Court has carefully perused the medical opinion placed on record. The Medical Board, after examining the petitioner's daughter, has opined that the victim, who is aged about 13 years and 6 months, has been subjected to sexual assault. The Board has further opined that the pregnancy can be terminated and that the procedure would involve benefits and risks comparable to those associated with a second trimester medical termination of pregnancy. The Medical Board has therefore



indicated that the procedure can be undertaken with due medical care and supervision.

3. In the light of the opinion expressed by the Medical Board, which forms part of the record, this Court is of the considered view that permission deserves to be granted for medical termination of pregnancy. Having regard to the fact that the victim is a minor and also taking note of the circumstances under which the pregnancy has occurred, this Court deems it appropriate to direct respondent No.2-Hospital to carry out the procedure of medical termination of pregnancy of the petitioner's daughter at the earliest. Such a direction is necessitated to ensure that there are no further medical complications, particularly in view of the fact that some time has already elapsed.

4. It is further clarified that since criminal proceedings are pending in Crime No.0026/2026 registered by Mandya East Police Station, the foetus, upon



termination of pregnancy, shall be preserved strictly in accordance with the applicable medical and forensic protocols. The preservation shall be undertaken so as to enable DNA testing and analysis, which may be required during the course of investigation.

5. For the foregoing reasons, writ petition stands disposed of with the following directions:

(i) Respondent No.2–Hospital to carry out the procedure of medical termination of pregnancy of the petitioner’s daughter at the earliest.

(ii) The foetus, upon termination of pregnancy, shall be preserved strictly in accordance with the applicable medical and forensic protocols. The preservation shall be undertaken so as to enable DNA testing and analysis, which may be required during the course of investigation in Crime No.0026/2026 registered at Mandya East Police Station.



(iii) The Karnataka State Legal Service Authority, Bengaluru is directed to release a sum of Rs.3 lakhs under the Karnataka Victim compensation Scheme, 2011 in favour of the petitioner within a period of two weeks from the date of receipt of certified copy of this order.

(iv) The District Children Protection Unit, *Mandya* is directed to release a sum of Rs.50,000/- forthwith towards the medical expenses and care of the petitioner's daughter.

(v) The petitioner shall approach the District Children Protection Unit, *Mandya* and seek for release of the aforesaid amount.

**SD/-
(SACHIN SHANKAR MAGADUM)
JUDGE**

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List No.: 2 Sl No.: 70

Page No.7 is re-typed and re-placed
vide Chamber Order dated 13.03.2026