

Ms X vs State of Karnataka

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Court : Karnataka

Decided On : May-21-2026

Judge : C.M. Poonacha

Appeal No. : WP/15412/2026

Appellant : MS X

Respondent : State of Karnataka

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF MAY, 2026 BEFORE THE HON'BLE MR. JUSTICE C.M. POONACHA WRIT PETITION NO. 15412 OF 2026 (GM-RES) BETWEEN: MS X NAME OF THE PETITIONER HAS NOT BEEN DISCLOSED. THE PETITIONER IS A MINOR AND A VICTIM OF SEXUAL OFFENCE. HENCE, NON-DISCLOSURE OF HER NAME IS IN COMPLIANCE OF THE DIRECTIONS PASSED BY THIS HON'BLE COURT IN W.P NO. 6763 OF 2020 AND OF THE HON'BLE APEX COURT IN NIPUN SAXENA VS. UNION OF INDIA

(2019) 2 SCC 703 Digitally THE PETITIONER IS REPRESENTED
signed by BY HER MOTHER AND NATURAL GUARDIAN NIRMALA

DEVI SHASHIKALA, Location: W/O LATE RANJITH K

KARNATAKA BANGALORE NORTH, KARNATAKA - 560 058

PETITIONER (BY MS. AVANI CHOKSHI, ADVOCATE) -2- AND:

1. STATE OF KARNATAKA REPRESENTED BY ITS CHIEF
SECRETARY, VIDHANA SOUDHA, AMBEDKAR VEEDHI,
BENGALURU - 560 001

2. STATE OF KARNATAKA REPRESENTED BY THE STATION
HOUSE OFFICER, RMC YARD PS, YESHWANTHPUR INDUSTRIAL
AREA, BANGALORE CITY - 560 022.

3. DISTRICT LEGAL SERVICES AUTHORITY, BENGALURU
AMBEDKAR VEEDHI, BENGALURU, KARNATAKA - 560 001.
REPRESENTED BY ITS MEMBER SECRETARY

4. KC GENERAL HOSPITAL, NEAR GROUNDS, MALLESHWARAM
CIRCLE, POLICE STATION ROAD, MALLESHWARAM, BENGALURU,
KARNATAKA - 560 003 REPRESENTED BY ITS CHIEF SURGEON

5. CHILD WELFARE COMMITTEE, BANGALORE HOMBEGOWDA
NAGAR, BENGALURU, KARNATAKA- 560029. REPRESENTED BY
THE CHAIRPERSON -3-

6. DISTRICT CHILDREN PROTECTION UNIT DHARAMARAM
COLLEGE POST, BESIDE KIDVAY HOSPITAL, WELFARE
DEPARTMENT COMPLEX, DR. MH MARIGOWDA ROAD, HOSUR RD,
BENGALURU KARNATAKA - 560 029.

REPRESENTED BY THE DISTRICT CHILD PROTECTION OFFICER.
RESPONDENTS (BY SMT. SUKANYA BALIGA, AGA FOR R1 AND R2)
THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE
CONSTITUTION OF INDIA PRAYING TO-A. ISSUE A WRIT OF

MANDAMUS AND CONSEQUENTLY DIRECT THE RESPONDENT NO. 4 TO TAKE NECESSARY STEPS TO TERMINATE THE PREGNANCY OF THE PETITIONERS DAUGHTER B. ISSUE A WRIT OF MANDAMUS DIRECTING RESPONDENT NO.4 TO PRESERVE THE TERMINATED FOETUS FOR THE PURPOSE OF DNA TESTING AND ANALYSIS AND ETC. THIS PETITION, COMING ON FOR ORDERS, THIS DAY,

ORDER WAS MADE THEREIN AS UNDER:

-4- CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

The present petition is filed seeking for the following reliefs: A. Issue a Writ of Mandamus and consequently direct the Respondent No.4 to take necessary steps to terminate the pregnancy of the Petitioner's daughter; B. Issue a Writ of Mandamus directing Respondent No.4 to preserve the terminated foetus for the purpose of DNA testing and analysis; C. Issue a Writ of Mandamus directing Respondent No.2 to conduct DNA Test of the terminated foetus for the purpose of investigation in Crime No.15/2026 registered before Respondent No.2 i.e., RMC Yard Police Station, Bengaluru City; D. Issue a Writ of Mandamus directing Respondent No.1 to meet the entire expense of the Petitioner towards medical expenses, counseling and other treatment she might have to undergo; E. Issue a Writ of Mandamus directing Respondent No.3 to disburse a sum of Rs.3,00,000/- (Rupees Three Lakh only) towards compensation as per the "Compensation Scheme for Women Victims/Survivors of Sexual Assault/other". F. Grant such or other reliefs as this Hon'ble Court deems fit in the facts and circumstances of the case. -5-

2. This Court, vide dated 19.05.2026 had directed

the Superintendent of Respondent No.4-K.C.General Hospital, Malleshwaram, Bengaluru, to constitute a Medical Board to evaluate the petitioner and file a report as to whether the petitioner is fit and able to undergo termination of pregnancy.

3. The petitioner is aged 15 years and 10 months.

The pregnancy of the petitioner is as a result of a sexual assault. The Medical Board, after examining the petitioner has furnished a final opinion, which reads as under: Final Opinion:

"Based on the above examinations and opinions Kum.Renuka.R F/o Ranjith aged 15 years 10 months, Primie with 7 months, ammenorrhoea with history of sexual assault 7 months back, has come for medical board regarding opinion for termination of pregnancy. As pregnancy as resulted due to sexual assault, we the board members opine for termination of pregnancy at this stage after explaining and counseling the patient and relatives about the complications associated with termination of teenage pregnancy".

4. In view of the aforementioned, the following: -6-

ORDER

i) The Writ Petition is allowed. ii) The Respondent No.4-K.C.General Hospital, Malleshwaram, Bengaluru is directed to take necessary steps to terminate the pregnancy of the petitioner, after taking such measures as may be necessary. iii) The Respondent No.4-K.C.General Hospital, Malleshwaram, Bengaluru shall also preserve the terminated foetus for the purpose of DNA testing analysis, subject to further orders that may be passed in Crime No.15/2026 of Yard Police Station, Bengaluru City. iv) It shall be open to the petitioner to claim such other benefits as may be available under law and if such a request is made, the same shall be adequately considered. -7- Hand-delivery of this order is permitted. Sd/- (C.M. POONACHA) JUDGE DH List No.: 1 Sl No.: 111

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