

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
Friday, the 2nd day of June 2023 / 12th Jyaishta, 1945
WP(C) NO. 15534 OF 2023

PETITIONER:

XXX

RESPONDENTS:

1. THE UNION OF INDIA REPRESENTED BY ITS SECRETARY, MINISTRY OF WOMEN AND CHILD DEVELOPMENT, SASTHRI BHAVAN, NEW DELHI, PIN - 110001
2. THE STATE OF KERALA REPRESENTED BY ITS SECRETARY, DEPARTMENT OF HEALTH AND FAMILY WELFARE DEPARTMENT, SECRETARIAT, TRIVANDRUM, PIN - 695001.
3. THE DISTRICT COLLECTOR COLLECTORATE, CIVIL STATION, UP-HILL, MALAPPURAM, PIN - 676505.
4. THE DISTRICT MEDICAL OFFICER OFFICE OF THE DISTRICT MEDICAL OFFICER, UPHILL, MALAPPURAM, PIN - 676505.
5. THE SUPERINTENDENT GOVERNMENT MEDICAL COLLEGE HOSPITAL, MANJERI, MALAPPURAM DISTRICT, PIN - 676121.
6. THE SUPERINTENDENT GOVERNMENT MEDICAL COLLEGE HOSPITAL, KOZHIKKODE, PIN - 673008.
7. THE STATION HOUSE OFFICER VAZHIKADAVU POLICE STATION, VAZHIKADAVU P.O., MALAPPURAM DISTRICT, PIN - 679333.
8. THE CHILD WELFARE COMMITTEE REPRESENTED BY ITS CHAIRMAN, THAVANOR, MALAPPURAM DISTRICT, PIN - 679573.

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to direct the respondents to terminate the pregnancy of the victim girl in Crime No.331/2023 of the Vazhikadavu Police Station as expeditiously as possible, pending disposal of the above Writ Petition (Civil).

This petition again coming on for orders upon perusing the petition and the affidavit filed in support of WP(C) and this Court's order dated 19.05.2023 and upon hearing the arguments of SRI. K.RAKESH, Advocate for the petitioner, DEPUTY SOLICITOR GENERAL OF INDIA for R1 and of GOVERNMENT PLEADER for R2 to R7, the court passed the following:

P.T.0

P.V.KUNHIKRISHNAN, J

W.P.(C.) No. 15534 of 2023

Dated this the 2nd day of June, 2023

O R D E R

The petitioner is free to submit an application before the 8th respondent seeking restoration of the child in accordance to Sec. 40 of Juvenile Justice (Care and Protection of Children) Act, 2015 by tomorrow. If such an application is received, the 8th respondent will consider the same and take a decision in it, in consultation with the doctors, within one week from the date of receipt of the application. The order passed by the 8th respondent will be produced before this Court.

2. Regarding the discharge of the petitioner's child, the Police authorities can do the needful in consultation with the medical authorities. The custody of the new born child of

the minor girl also will be decided by the 8th respondent in accordance to Sec.35 of the Juvenile Justice Act.

3. Post on 09.06.2023.

Issue a copy of this order today itself.

sd/-
P.V.KUNHIKRISHNAN
JUDGE

SKS

