



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF APRIL, 2024

PRESENT

THE HON'BLE MR N. V. ANJARIA, CHIEF JUSTICE

AND

THE HON'BLE MR JUSTICE KRISHNA S DIXIT

WRIT PETITION NO. 27927 OF 2023 (GM-RES)

BETWEEN:

1. HIGH COURT OF KARNATAKA
BENGALURU - 560 001
REPRESENTED BY THE REGISTRAR GENERAL
...PETITIONER

(SUO MOTO WRIT PETITION)

AND:

1. STATE OF KARNATAKA
HOME DEPARTMENT
VIDHANA SOUDHA
DR AMBEDKAR VEEDHI
BENGALURU - 560 001
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY
2. STATE OF KARNATAKA
WOMEN AND CHILD WELFARE DEPARTMENT
M S BUILDING
BENGALURU - 560 001
REPRESENTED BY ITS
PRINCIPAL SECRETARY





3. DIRECTOR GENERAL OF POLICE
NRUPATHUNGA ROAD
BENGALURU – 560 001

4. THE SUPERINTENDENT OF POLICE
BELGAVI DISTRICT – 590 016

...RESPONDENTS

(BY SRI.SHASHI KIRAN SHETTY ADV. GENERAL A/W
SMT. PRATHIMA HONNAPURA, ADDL. ADV. GENERAL A/W
SMT. NILOUFER AKBAR, AGA FOR RESPONDENT NOS. 1 TO 4)

THIS WP IS FILED UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO a) ISSUE WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER/s OR DIRECTION/s TO THE RESPONDENTS TO FURNISH REPORT IN THE MATTER, WITH REGARD TO THE ISSUES RAISED IN THE DIVISION BENCH ORDER DATED 12/12/2023 b) ISSUE WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER/s OR DIRECTIONS/s TO THE RESPONDENTS TO TAKE APPROPRIATE STEPS/MEASURES TO PREVENT OCCURRENCE OF SUCH INCIDENT IN FUTURE AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, **CHIEF JUSTICE** MADE THE FOLLOWING:

ORDER

Heard learned Advocate General Mr.Shashi Kiran Shetty assisted by learned Additional Advocate General Smt.Prathima Honnapura, as also learned Additional Government Advocate Smt.Niloufer Akbar who appeared for respondents.

2. The present proceedings were initiated as *suo motu* proceedings based upon the news article published in "Deccan



Herald”, Bengaluru edition dated 12.12.2023. The news item was captioned with “women beaten up, paraded naked after son elopes with girl”. The same news was published in “The Hindu”, Bengaluru edition dated 12.12.2023 under the title “women assaulted, tied to a pole after son elopes with girl”. This news figured also in “Prajavani”, a Kannada daily newspaper.

2.1 The Division Bench of this Court directed the Registrar General of this Court to institute *suo motu* proceedings to take appropriate steps in the matter. It was shocking, it was expressed in the writ petition, that such barbaric incident had happened in the civilized society.

3. The unfortunate incident had happened in Vantamuri Village, Belagavi Taluk, Belagavi District. An innocent woman, for no fault of hers, had to undergo the trauma and inhuman treatment of outraging her modesty by the culprits. The respondents, who are the State of Karnataka and its Women and Child Welfare Department as well as the Director General of Police and its sub-ordinate, were required to furnish report in the matter pursuant to the order of this Court dated 12.12.2023. The proceedings contemplated, in addition to soliciting the report



as above, issuance of appropriate writ against the respondents to take necessary steps and measures to prevent occurrence of such incidents in future.

3.1 While passing the order dated 12.12.2023, the Division Bench of this Court recorded thus,

“In the photographs published in the Kannada Daily ‘Prajavani’ it seems that one Hon’ble Minister Smt. Lakshmi Hebbalkar visited the victim and is consoling her. Though the print media has at least displayed some sensibility and sensitivity while publishing the photograph by blurring the image of the victim and her associates but the disturbing factor is the said photograph reveals that some persons apparently from the electronic media or its representatives are photographing and videographing the victim’s reaction and narration. Thus, on one hand, where there is a reflection of sensibility, on the other hand there is stark contrast wherein the media persons are seem to be acting most irresponsible and insensitive manner”.

3.2 The Court proceeded to observe further,



“In the aforesaid circumstances, if any media house or its representatives has videographed the above interview of the victim during the visit of the Hon’ble Minister or any such interaction by the victim, this Court hereby direct not to telecast such interview or interaction on any national or regional Channel. It is further made clear that if already such interview is displayed or telecasted in the electronic media, henceforth there shall not be any display or telecast of the same”.

3.3 It was directed that the dignity of the victim shall be maintained by ensuring that her identity is not disclosed or revealed any further. Expressing serious concern, the Court directed learned Advocate General to submit the status report of the incident. It was to be submitted on 14.12.2023.

3.4 Pursuant to the aforesaid *suo motu* proceedings and the order passed therein, the report was submitted which was annexed to the memo of compliance dated 17.01.2024. In the compliance memo, the details of investigation conducted by the Superintendent of Police Mr. Pruthvik Shankar, IPS were given, which revealed that the evidence of video recordings and photos were taken in the mobile phone.



3.5 The discharge summary stated that the victim was discharged from the hospital on 29.12.2023 and was in good physical and mental state. It was stated that the victim would be undergoing the follow-up psychiatric OPD for fifteen days post discharge.

3.6 It was further given out that the victim was allotted the land at Savadatti Taluk of Belagavi District to compensate her. The request for granting alternate land other than the one proposed to be allotted was also entertained by the authorities.

3.7 The compliance memo further mentioned that the victim was residing with her husband at Gutaguddi Village of Hukkeri Taluka and the son of the victim and his wife are residing at Yallapura Village of Hukkeri Taluka. It was stated that the police constables are deployed at all times to ensure the security of the victim and her family members at Vantamuri Village where the victim had been previously staying. Further, 25 armed personnel have been deployed in addition to the civil police constables to ensure that any further and other incident does not raked up in the village.



4. In course of the hearing of the petition today, learned Advocate General was present to make submissions. He confirmed the following aspects,

- (a) The victim is allotted two acres of land.
- (b) She is further given compensation to the tune of Rs.5,00,000/-.
- (c) The victim and her family members have been staying with mental peace and security.

4.1 The three accused were nabbed and the mobile phone was received. It was stated that the absconding accused was arrested, was produced before learned Judicial Magistrate and sent to judicial custody. The statement of the victim and other 23 witnesses came to be recorded under Section 164 of the Code of Criminal Procedure, 1973.

5. In the aforesaid view, this Court does not see any reason to continue with the present proceedings. The victim is duly compensated. The purpose of initiating the *suo motu* proceedings is served by the aforesaid measures taken by the authorities.



6. While the Court is satisfied with the aforesaid measures for payment of compensation and allotment of the land to the victim, the following further directions are issued in the interest of justice,

(i) The trial against the accused persons shall be completed by the competent Court where it is pending, expeditiously within an outer limit of one year.

(ii) The Registry of this Court shall issue intimation to the Competent Court where the criminal case is pending in this regard.

(iii) The Welfare Officer of the Women and Child Welfare Department functioning at the local level shall pay visit to the place of the victim where she resides with her husband every two months to ascertain the status of life and well-being of the victim.

(iv) The welfare officer shall further ensure that the victim and her family members stay with comfort of essential and basic life amenities and lead life satisfactorily with availability of such basic necessities to live the life.



(v) The welfare officer shall submit the report upon each such visit, to the District Superintendent of Police who shall in turn, supervise.

7. The present writ petition is disposed of in terms of the aforesaid observations and the directions.

**Sd/-
CHIEF JUSTICE**

**Sd/-
JUDGE**

THM
List No.: 1 Sl No.: 47