

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
MONDAY, THE THIRTIETH DAY OF SEPTEMBER TWO THOUSAND AND
TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY
WRIT PETITION NO: 27487 OF 2024

Between:

[REDACTED]

Petitioner

AND

1. The Union of India, Through its Secretary, Ministry of Information and Broadcasting, Shastri Bhawan, New Delhi - 110001.
2. The State of Telangana, Through its Chief Secretary, Secretariat, Hyderabad - 500022.
3. The Station House Officer, Narsingi Police Station, Cyberabad, Telangana State Police, Hyderabad - 500004.
4. Harsha Sai Kathria, 13-98, Kasapa Street, Behind Kamela, Kasimkota, Vishakapatnam, Andhra Pradesh-531031
5. Google LLC - India Liaison Office, Resident Grievance Officer for YouTube Unit No. 26The Executive Center, Level 8, DLF Centre, Sansad Marg, Connaught Place, New Delhi - 110001
6. Meta Platforms Inc, Unit 28 and 29 The Executive Center, Level 18, DLF Cyber City, Building No. 5, Tower A, Phase III Gurgaon 122002, India

Respondents

WHEREAS the Petitioner above named through her Advocate SRI MUJTAHID HUSSAIN presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order, or direction, particularly in the nature of a writ of mandamus declaring the action of the official respondents in not taking any steps to restrain the unofficial respondents in publishing, telecasting, engaging in media trials, broadcasting unverified and defamatory content, and disseminating false or unsubstantiated audio and video materials related to the rape victim, through any form of media whether it be television, digital, or social platforms relating to Crime No.1425/2024 of Narsingi Police Station, Cyberabad Commissionerate, Telangana is illegal, arbitrary, contrary to law, violative of constitution of India and consequently direct the respondents not to publish, telecast, engage in media trials, broadcasting unverified and defamatory content, and disseminating false or unsubstantiated audio and video materials related to the rape victim, through any form of media -m whether it be television, digital, or social platforms relating to Crime No.1425/2024 of Narsingi Police Station, Cyberabad Commissionerate, Telangana;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri MUJTAHID HUSSAIN Advocate for the Petitioner and GP for Home, who takes notice for respondent No.3, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Secretary, Ministry of Information and Broadcasting, Union of India, Shastri Bhawan, New Delhi - 110001.
2. The Chief Secretary, State of Telangana Secretariat, Hyderabad - 500022.
3. The Station House Officer, Narsingi Police Station, Cyberabad, Telangana State Police, Hyderabad - 500004.
4. Harsha Sai Kathria, 13-98, Kasapa Street, Behind Kamela, Kasimkota, Vishakapatnam, Andhra Pradesh-531031
5. Google LLC - India Liaison Office, Resident Grievance Officer for YouTube Unit No. 26 The Executive Center, Level 8, DLF Centre, Sansad Marg, Connaught Place, New Delhi - 110001
6. Meta Platforms Inc, Unit 28 and 29 The Executive Center, Level 18, DLF Cyber City, Building No. 5, Tower A, Phase III Gurgaon 122002, India

are directed to show cause on or before 22/10/2024 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 4 OF 2024:

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to issue direction related to Crime No.1425/2024 of Narsingi Police Station, Cyberabad Commissionerate, Telangana to direct Respondents No:01-03 to Restrain the unofficial 4th respondent from further making any public statements or releasing any content that could influence the investigation or prejudice the trial, pending disposal of WP No. 27487 of 2024, on the file of the High Court.

IA NO: 3 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to issue direction related to Crime No.1425/2024 of Narsingi Police Station, Cyberabad Commissionerate, Telangana to direct Respondents No.01-03 to conduct an inquiry into how such content has been allowed to be circulated despite the ongoing criminal investigation pending disposal of the WP No. 27487 of 2024, on the file of the High Court.

IA NO: 2 OF 2024:

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to issue direction related to Crime No.1425/2024 Narsingi Police Station, Cyberabac Commissionerate, Telangana to direct Respondents No:01-03 to immediately fore with to remove and delete all links, audio files, and defamatory content released by the unofficia Respondent No:04, from digital media platform and social media channels pending disposal of the WP No. 27487 of 2024, on the file of the High Court.

IA NO: 1 OF 2024:

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to issue direction related to Crime No.1425/2024 of Narsingi Police Station, Cyberabad Commissionerate, Telanganato direct Respondents No:01-03 to Block and suspend all social media accounts of the unofficial Respondent No:04, including Instagram and YouTube, which are being used to harass and defame the petitioner pending disposal of the WP No. 27487 of 2024, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

Learned Government Pleader for Home takes notice for respondent No.3.

Learned counsel for the petitioner is permitted to take out personal notice to respondent Nos.1, 2, 4, 5 and 6 through 'RPAD' and file proof of service in the Registry by the next date of hearing.

The case of the petitioner is that she entered into an agreement with respondent No.4 for production of a movie and she has paid an advance of Rs.50,00,000/-. It is the further case of the petitioner that in the guise of script discussion, respondent No.4 has committed offence and recorded the entire incident and taking advantage of the photos and videos recorded, respondent No.4 published the same in the social media and in that regard, she lodged a complaint before respondent No.3 against respondent No.4 and acting on the said complaint, a case in Crime No.1425 of 2024 dated 24.09.2024 was registered for the offences punishable under Sections 328, 376(2)(N), 354B, 354C of IPC. It is the further case of the petitioner that she filed a representation, dated 27.09.2024 before the Commissioner of Police, Cyberabad, requesting to take immediate action for deletion/removal of the said content in all the social media, as it would effect her personal life and liberty.

In view of the above submissions, pending further orders, the petitioner is permitted to make a representation before respondent No.1 by duly enclosing a copy of the crime registered against respondent No.4 vide Crime

No.1425 of 2024, dated 24.09.2024 and the social media accounts being maintained by respondent No.4 for forthwith removal/deletion of the said defamatory content from the said accounts and on filing such representation, respondent No.1 shall take appropriate action thereon forthwith.

List on 22.10.2024.

//TRUE COPY//

Sd/-MOHD. ISMAIL
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Secretary, Ministry of Information and Broadcasting, Union of India, Shastri Bhawan, New Delhi - 110001.
2. The Chief Secretary, State of Telangana Secretariat, Hyderabad - 500022.
3. The Station House Officer, Narsingi Police Station, Cyberabad, Telangana State Police, Hyderabad - 500004.
4. Harsha Sai Kathria, 13-98, Kasapa Street, Behind Kamela, Kasimkota, Vishakapatnam, Andhra Pradesh-531031
5. Google LLC - India Liaison Office, Resident Grievance Officer for YouTube Unit No. 26 The Executive Center, Level 8, DLF Centre, Sansad Marg, Connaught Place, New Delhi - 110001
6. Meta Platforms Inc, Unit 28 and 29 The Executive Center, Level 18, DLF Cyber City, Building No. 5, Tower A, Phase III Gurgaon 122002, India (1 to 6 by RPAD along with a copy of petition and affidavit)
7. One CC to SRI. MUJTAHID HUSSAIN Advocate [OPUC]
8. One spare copy

HIGH COURT

CVBRJ

DATED:30/09/2024

POST ON 22-10-2024

NOTICE BEFORE ADMISSION

WP.No.27487 of 2024

DIRECTION

