



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 30TH DAY OF APRIL, 2026
BEFORE
THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM
WRIT PETITION NO. 7473 OF 2026 (GM-RES)

BETWEEN:

1. MR. DARSHAN SRINIVAS
AGED ABOUT 47 YEARS,
S/O. LATE THOOGUDEEPA SRINIVAS
#217, THOOGU DEEPA NILAYA,
F ROAD, IDEAL HOME TOWNSHIP,
RAGARAJESHWARI NAGAR,
BENGALURU, KARNATAKA - 560 098.

...PETITIONER

(BY SRI. PRATHAM N., ADVOCATE)

AND:

1. UNION OF INDIA
MINISTRY OF INFORMATION AND BROADCASTING,
ROOM NO.655, A- WING,
SHASTRI BHAWAN,
NEW DELHI-110 001.
REPRESENTED BY ITS SECRETARY
2. THE SECRETARY,
MINISTRY OF ELECTRONICS AND
INFORMATION TECHNOLOGY (MEITY),
ELECTRONICS NIKETAN, 6 CGO COMPLEX,
LODHI ROAD, NEW DELHI - 110 003.

...RESPONDENTS

(BY SRI. ARAVIND KAMATH, ADDITIONAL SOLICITOR GENERAL
A/W SRI. KUMAR M N, CGSC FOR R1 & R2)





THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT THE RESPONDENT NOS.1 AND 2 TO REGISTER THE COMPLAINT DATED 16.01.2026 (ANNEXURE-A) AND ISSUE SHOW CAUSE NOTICE TO ALL THE SAID MEDIA CHANNELS AND TAKE ACTION IN ACCORDANCE WITH CABLE TELEVISION NETWORKS ACT 1995, CABLE TELEVISION NETWORKS RULES 1995 R/W INFORMATION TECHNOLOGY ACT OF 2000 AND INFORMATION TECHNOLOGY (INTERMEDIARY GUIDELINES AND DIGITAL MEDIA ETHICS CODE) RULES, 2021 AND ETC.,

THIS WRIT PETITION HAVING BEEN HEARD AND RESERVED FOR ORDERS ON 09.04.2026, THIS DAY ORDER WAS PRONOUNCED THEREIN, AS UNDER:

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

CAV ORDER

The captioned writ petition is filed seeking the following reliefs:

"A. Issue a writ, order or direction in the nature of mandamus or any other appropriate writ directing the Respondent No.1 & 2 to register the complaint dated 16.01.2026 (Annexure A) and issue show cause notice to all the said Media Channels and take action in accordance with Cable Television Networks Act 1995, Cable Television Networks Rules, 1995 r/w Information Technology Act of 2000 and



Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021;

B. Direct Respondent No.1 to initiate proceedings for suspension of broadcast licenses or imposition of penalties under Chapter III of the Cable Television Networks (Regulation) Act, 1995, against non-complaint entities inter terms of the Complaint dated 16.01.2026 (Annexure A) or/and refer the prima facie contempt to the appropriate contempt jurisdiction; and

C. Pass any other order(s) as this Hon'ble Court may deem fit in the facts, and circumstances of the present case, in the interest of justice, equity and fair play."

2. The petitioner, a Kannada film actor and producer, is aggrieved by a sustained and targeted media campaign in relation to Crime No.250/2024 registered on 09.06.2024 by Kamakshipalya Police Station for offences punishable under Sections 302 and 201 of the IPC, 1860.

3. It is the specific case of the petitioner that, despite the trial being at a nascent stage, various



television channels and digital platforms have indulged in media-driven adjudication, disseminating speculative narratives, selectively leaked materials, and unverified allegations, thereby engineering public perception and impairing the petitioner's right to a fair trial.

4. The petitioner and his wife secured interim injunction orders from competent civil courts restraining publication of confidential material. Further, by order dated 10.09.2024, this Court restrained respondent Nos.3 to 40 from disseminating charge sheet material and directed respondent No.4 to take action in the event of violation of the Programme Code.

5. This Court therefore deems it fit to extract the ex parte order of injunction granted by the City Civil and Sessions Court in O.S.No.6082/2024 and the order passed by this Court in W.P.No.24836/2024 on 10.09.2024. The same read as under:

**Order passed in O.S.No.6082/2024**

"The defendants are hereby restrained by way of this exparte ad-interim TI order, from airing, printing, publishing any statement in relation to the investigation being under taken by Kamakshipalya Police against Sri. Darshan Srinivas who is arrayed as accused No.2 and from airing, printing, publishing any statement about the final report inter alia FSL reports, confessional statements and holding debate/discussion/interview on the final report pertaining to FIR No.0250/2024 pending adjudication before XXIV ACMM Court, Bengaluru."

Order passed in W.P.No.24836/2024

"ORDER

(i) Respondents 3 to 40 are hereby restrained from publishing, printing, airing and disseminating confidential information contained in the charge sheet in relation to Crime No.0250/2024 registered by the Kamakshipalya Police Station, till the next date of hearing.

(ii) Respondent No.1 to communicate this order to respondents 3 to 40.



Needless to state that respondent No.1 to take appropriate action against respondents 3 to 40, if they telecast, print, air or publish any statements in violation of the Cable Television Network Rules, 1994."

6. Despite these judicial interdictions, it is alleged that the media continues to telecast content in violation of statutory provisions and binding court orders.

7. Heard learned counsel for the petitioner and learned CGSC for the respondents. Perused the records. The following points arise for consideration:

(i) Whether respondent authorities are under a statutory obligation to act on the complaint dated 16.01.2026?

(ii) Whether the impugned media reportage constitutes violation of statutory provisions and judicial orders?

(iii) Whether interference under Article 226 is warranted?

**Findings on Point Nos.(i) to (iii):**

8. For the sake of convenience, the relevant provisions are extracted as under:

"Section 79 (3) (b) of the Information Technology Act, 2000

79. Exemption from liability of intermediary in certain cases.-

(1) Notwithstanding anything contained in any law for the time being in force but subject to the provisions of sub-sections (2) and (3), an intermediary shall not be liable for any third party information, data, or communication link made available or hosted by him.

(2) The provisions of sub-section (1) shall apply if- (a) the function of the intermediary is limited to providing access to a communication system over which information made available by third parties is transmitted or temporarily stored or hosted; or

(b) the intermediary does not-

(i) initiate the transmission,

(ii) select the receiver of the transmission, and

(iii) select or modify the information contained in the transmission;

(c) the intermediary observes due diligence while discharging his duties under this Act and also observes such other guidelines as the Central Government may prescribe in this behalf.

(3) The provisions of sub-section (1) shall not apply if-



(a) the intermediary has conspired or abetted or aided or induced, whether by threats or promise or otherwise in the commission of the unlawful act;

(b) upon receiving actual knowledge, or on being notified by the appropriate Government or its agency that any information, data or communication link residing in or connected to a computer resource controlled by the intermediary is being used to commit the unlawful act, the intermediary fails to expeditiously remove or disable access to that material on that resource without vitiating the evidence in any manner. Explanation.—For the purposes of this section, the expression —third party information means any information dealt with by an intermediary in his capacity as an intermediary.

Information Technology (Intermediary Guidelines Technology Intermediary Guidelines and Digital Media Ethics Code) Rules, 2024 Digital Media Code) Rules,

Rule 3 (7) (b) an intermediary, on whose computer resource the information is stored, hosted or published, upon receiving actual knowledge in the form of an order by a court of competent jurisdiction or on being notified by the Appropriate Government or its agency under clause (b) of

sub-section (3) of section 79 of the Act, shall not host, store or publish any unlawful information, which is prohibited under any law for the time being in force in relation to the interest of the sovereignty and integrity of India; security of the State; friendly relations with foreign States; public order; decency or morality; in relation to contempt of court; defamation; incitement to an offence relating to the above, or any information which is prohibited under any law for the time being in force.



Provided further that if any such information is hosted, stored or published, the intermediary shall remove or disable access to that information, as early as possible, but in no case later than thirty-six hours from the receipt of the court order or on being notified by the Appropriate Government or its agency, as the case may be.

Cable Television Networks (Regulation) Act, 1995

19. *Power to prohibit transmission of certain programmes in public interest.—Where 2 [any authorised officer], thinks it necessary or expedient so to do in the public interest, he may, by order, prohibit any cable operator from transmitting or re-transmitting 3 [any programme or channel if, it is not in conformity with the prescribed programme code referred to in section 5 and advertisement code referred to in section 6 or if it is] likely to promote, on grounds of religion, race, language, caste or community or any other ground whatsoever, disharmony or feelings of enmity, hatred or ill-will between different religious, racial, linguistic or regional groups or castes or communities or which is likely to disturb the public tranquillity.*

20. *Power to prohibit operation of cable television network in public interest.—4 [1] Where the Central Government thinks it necessary or expedient so to do in public interest, it may prohibit the operation of any cable television network in such areas as it may, by notification in the Official Gazette, specify in this behalf. 5*

[(2) Where the Central Government thinks it necessary or expedient so to do in the interest of the— (i) sovereignty or integrity of India; or (ii) security of India; or (iii) friendly relations of India with any foreign State; or (iv) public order, decency or morality, it may, by order, regulate or prohibit the transmission or re-transmission of any channel or programme.



(3) Where the Central Government considers that any programme of any channel is not in conformity with the prescribed programme code referred to in section 5 or the prescribed advertisement code referred to in section 6, it may by order, regulate or prohibit the transmission or re-transmission of such programme].

Cable Television Networks Rules, 1994

Rule 6 (1)

(d) Contains anything obscene, defamatory, deliberate, false and suggestive innuendos and half truths;

(e) Is likely to encourage or incite violence or contains anything against maintenance of law and order or which promote-anti-national attitudes;

(f) Contains anything amounting to contempt of court;

(i) Criticises, maligns or slanders any individual in person or certain groups, segments of social, public and moral life of the country ;”

9. The Cable Television Networks (Regulation) Act, 1995 read with the Cable Television Networks Rules, 1994 prescribes a strict regulatory regime. Rule 6 of the Programme Code prohibits programmes which are defamatory, misleading, contemptuous of court, prejudicial to public order, or which malign individuals, including those falling within Rule 6(1)(d), (e), (f) and (i).



10. Sections 19 and 20 of the Act empower the authorities to regulate, prohibit or suspend transmission of programmes which are not in conformity with the Programme Code or which affect public order, decency or the administration of justice.

11. Further, Section 79(3)(b) of the Information Technology Act, 2000 mandates that intermediaries, upon receiving actual knowledge of unlawful content, must expeditiously remove or disable access to such material. This obligation is reinforced by Rule 3(7)(b) of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, which requires removal within 36 hours of receipt of a court order or governmental notification.

12. The Trial Court, by order dated 10.09.2024, directed respondent No.4 to take action upon violation of the Programme Code. Further, the statement recorded on



09.09.2024 reflects a clear undertaking that action would follow upon receipt of a complaint.

13. The petitioner having submitted a complaint dated 16.01.2026, the continued inaction on the part of the respondent authorities is ex facie arbitrary, contrary to statutory mandate, and violative of the doctrine of legitimate expectation.

14. The issue of “trial by media” has engaged judicial attention across jurisdictions. The Bombay High Court in ***Nilesh Navalakha vs. Union of India***¹ cautioned against excessive media activism eroding the fairness of judicial proceedings. The Hon'ble Supreme Court in ***In Re: Harijai Singh***² underscored that freedom of press is not absolute and must be tempered with responsibility. Further, in ***P.C. Sen (in Re)***³, it was held

¹ 2021 SCC Online Bom 56

² (1996) 6 SCC 466

³ AIR 1970 SC 1821



that any publication tending to interfere with the due course of justice constitutes contempt.

15. The dangers of prejudicial publicity have been succinctly articulated in global jurisprudence. In ***Sheppard vs. Maxwell***⁴, the United States Supreme Court deprecated media excesses which transformed the judicial process into a “carnival atmosphere of justice”, holding that massive and pervasive prejudicial publicity subverts due process. In ***Nebraska Press Association vs. Stuart***⁵, it was emphasized that the right to a fair trial is the most fundamental of freedoms, requiring insulation from prejudicial pre-trial publicity.

16. The English position is equally stringent. In ***Attorney-General vs. BBC***⁶, it was held that publications giving rise to a “real and substantial risk of prejudice” constitute contempt. The celebrated dictum in ***R vs.***

⁴ 384 U.S. 333 (1966)

⁵ 427 U.S. 539 (1976)

⁶ (2007) EWCA Civ 280



Sussex Justices, ex parte McCarthy⁷, it was held that “justice must not only be done but must also be seen to be done” reinforces that perception of fairness is integral to adjudicatory legitimacy. Further, in ***Alenet de Ribemont vs. France***⁸, it was held that public narratives imputing guilt prior to trial violate the presumption of innocence.

17. These authorities converge on a singular constitutional principle that media reportage cannot be permitted to supplant judicial determination or prejudice the course of justice.

18. The material placed on record, particularly the clippings produced, unfortunately depict a disturbing trend wherein the broadcast media has gone to the extent of recreating courtroom proceedings, with only the face of the presiding Judge being masked, while the faces of the accused and counsel are openly displayed. Such programmes are telecast on every date of hearing,

⁷ (1924) 1 KB 256

⁸ (1995) 20 EHRR 557



thereby converting pending judicial proceedings into a form of public spectacle.

19. This Court cannot but observe that such conduct amounts to a calculated media-driven adjudication, fostering a parallel narrative and engendering prejudicial pre-trial publicity. The continued telecast of such content, in the teeth of subsisting injunction orders, reflects a blatant disregard for judicial authority and contributes to the creation of a “carnival atmosphere of justice”, as noticed in ***Sheppard v. Maxwell*** (supra). By virtually staging courtroom scenes and projecting selective narratives, the media not only risks subverting due process but also erodes adjudicatory neutrality, impairing the petitioner’s right to a fair trial.

20. Such broadcasts, which border on trial by headlines, cannot be countenanced in a system governed by the rule of law, particularly when they are aired in



willful disobedience of binding injunctions and in a manner that tends to interfere with the administration of justice.

21. The continued broadcast in the teeth of civil court injunctions, orders of this Court and statutory prohibitions amounts to subversion of due process, erosion of adjudicatory neutrality, interference with administration of justice and prima facie contempt of court.

22. The material on record unmistakably discloses violations of Rule 6(1)(d), (e), (f) and (i) of the Programme Code under the Cable Television Networks (Regulation) Act, 1995. Such broadcasts are per se illegal and invite regulatory action under Sections 19 and 20 of the Act. The acts further attract the mischief of Section 2(c)(ii) and (iii) of the Contempt of Courts Act, 1971. The digital amplification of such content attracts Section 79(3)(b) of the Information Technology Act, 2000 read with Rule 3(7)(b) of the Intermediary Rules, 2021.



23. The complaint dated 16.01.2026 imposes a mandatory obligation on respondent authorities. The failure to act is arbitrary and unsustainable. The material on record discloses prima facie violations of statutory provisions and judicial orders. The ongoing media narrative poses a serious threat to the petitioner's right to a fair trial under Article 21.

24. Freedom of speech is a cherished constitutional value; however, when it degenerates into media-driven adjudication, it ceases to be a safeguard of democracy and becomes a threat to it. The press is a watchdog, but when it assumes the role of judge, jury and executioner, the rule of law stands imperiled. Courts cannot permit the course of justice to be overshadowed by the glare of studio lights.

25. In view of the foregoing reasons, the points formulated are answered accordingly:

Point No.(i) is answered in the ***affirmative***, holding that respondent authorities are under a statutory



obligation to consider and act upon the complaint dated 16.01.2026 in accordance with the provisions of the Cable Television Networks (Regulation) Act, 1995, the Rules framed thereunder and the applicable provisions of the Information Technology Act, 2000 and allied Rules.

Point No.(ii) is answered in the ***affirmative***, holding that the impugned media reportage and telecasts, prima facie, constitute violations of Rule 6 of the Programme Code under the Cable Television Networks Rules, 1994, apart from amounting to interference with administration of justice and violation of subsisting judicial orders.

Point No.(iii) is answered in the ***affirmative***, holding that interference under Article 226 of the Constitution of India is warranted in the facts and circumstances of the case to ensure enforcement of statutory obligations, preservation of the petitioner's right to fair trial and maintenance of the purity of judicial process.



26. For the foregoing reasons, this Court proceeds to pass the following:

ORDER

(i) The writ petition is ***allowed in part.***

(ii) Respondent Nos.1 and 2 are directed to forthwith examine the impugned broadcasts and digital content relating to the petitioner and the subject crime and, upon being satisfied that the same are violative of Rule 6 of the Programme Code framed under the Cable Television Networks (Regulation) Act, 1995, take immediate action in accordance with Sections 19 and 20 of the Act by regulating, suspending, prohibiting or directing discontinuance of such telecast, broadcast, streaming or dissemination, pending enquiry and final consideration of the complaint.

(iii) Respondent Nos.1 and 2 shall consider the complaint dated 16.01.2026 (Annexure-A), conduct an enquiry into the alleged violations of the Programme Code and pass appropriate



orders under Sections 19 and 20 of the Act within a period of Six (6) weeks from the date of receipt of a copy of this order.

(iv) The respondents shall also examine the necessity of prohibition of broadcast, suspension/revocation of permissions or licences, imposition of penalties and initiation of such further statutory proceedings as are permissible in law.

(v) Respondents shall ensure strict compliance with Rule 6 of the Cable Television Networks Rules, 1994, Section 79(3)(b) of the Information Technology Act, 2000 and Rule 3(7)(b) of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.

(vi) Liberty is reserved to the petitioner to initiate appropriate proceedings under the Contempt of Courts Act, 1971, if so advised.



(vii) Respondent Nos.1 and 2 shall file a compliance report before this Court within Twelve (12) weeks.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE

CA
List No.: 1 Sl No.: 2