

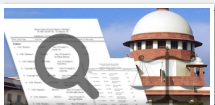
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Karnataka



BENGALURU



City Civil Court Complex, Bangalore



PRL. CITY CIVIL AND SESSIONS JUDGE



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PRL. CITY CIVIL AND SESSIONS JUDGE

In the court of :CCH41 XL ADDL. CITY CIVIL AND SESSONS JUDGE

CNR Number :KABC010068112025

Case Number :O.S./0001812/2025

ROHINI H P versus TV9 KARNATAKA AND NEWS 9

Date : 12-03-2025

Business

: INTERIM ORDER ON I.A. NO.1 I.A. No.1 is filed by the plaintiff under Order XXXIX Rule 1 and 2 of Code of Civil Procedure, 1908 to restrain the defendants from making, uttering, speaking, writing, publishing, relaying, telecasting or defamatory any statements or allegations against the plaintiff's daughter Smt. Harshavardini Ranya Rao, newspapers, hand bills, posters or through audio media i.e. radio, speeches or the Electronic media i.e. Television channels, Websites, Facebook, Twitter, Instagram, SMS, WhatsApp, YouTube etc. 2. Heard learned counsel for the plaintiff on I.A. No.1. Perused the pleadings and the copies of the documents placed on record. 3. It is submitted by learned counsel that on the guise of fair journalism, the defendant media houses are telecasting/ publishing news which are derogatory and defamatory, in order to increase their TRP and thereby are holding media trial and are violating the right of fair trial to the accused enshrined under Article 21 of the Constitution. It is further submitted that under the guise of fair journalism the defendants have used misleading headlines, exaggerated narratives to create a false perception which harms the personnel integrity of the daughter of the plaintiff. Instead of adhering to journalistic ethics, they have misused their platforms and are engaged in an unethical media trial and hence sought to restrain the defendants by way of exparte ad-interim temporary injunction order from telecasting defamatory comments against the daughter of the plaintiff. 4. Learned counsel appearing for the plaintiff has relied upon the judgment of the Division Bench of the Hon'ble High

Court of Bombay in Nilesh Navalakha and others reported in 2021 SCC Online Bombay 56 wherein the Hon'ble High Court by considering the interest of the accused and the victim has held that no report/ discussion/ debate should be presented by the press/ media which could harm the interest of the accused being investigated or a witness and has also issued various guidelines to press media to refrain from printing/ displaying any news of the present nature. 5. Learned counsel has also relied upon the judgment of Hon'ble Apex Court in criminal Appeal No.179/2007 wherein Hon'ble Apex Court has exhaustively dealt with the role of the media and press and has cautioned the media to ensure fair investigation, trial, defense of accused and non-interference in the administration of justice in matters subjudice. 6. Reliance is also placed upon the judgment of Hon'ble High Court reported in ILR 1997 KAR 100 in case of Subbaiah V/s. Garudachar. 7. The common principles laid down in the aforesaid ratios is that any person who apprehends that the publication is infringing his/her rights to fair trial and it prejudices the proper administration of justice or to the fairness of trial and it is per se defamatory it is necessary to restrain persons from making such publications. The copies of the news articles placed on record, shows the defendants are telecasting/ publishing news about the ongoing investigation and are holding media trials which is an utter disregard to the guidelines issued by Hon'ble Courts and are interfering with the administration of justice. Hence in order to avoid the press/ media from holding media trials it is considered just and necessary to meet out the apprehension pleaded by the plaintiff by issuing an order of temporary injunction. Thus, this Court is of opinion that the plaintiff has made out a prima facie case and the balance of convenience lies in favour of the plaintiff and if the order of temporary injunction is not granted right of fair trial to the accused enshrined under Article 21 of the Constitution will be violated. Hence, this Court proceeds to pass following :

ORDER The defendants are hereby restrained from making, uttering, speaking, writing, publishing, relaying, telecasting or defamatory any statements or allegations against the plaintiff's daughter Smt. Harshavardini Ranya Rao by way of this exparte temporary injunction order. This

order shall remain in force till next date of hearing. Issue temporary injunction order if the same is complied under Order 39 Rule 3(A) of C.P.C. Issue temporary injunction order, suit summons and notice on I.A. No.1 to defendants No.1 to 35. R/by: 02.06.2025.

Next Purpose : SUMMONS

Next Hearing Date : 02-06-2025

CCH41 XL ADDL. CITY CIVIL AND SESSIONS JUDGE

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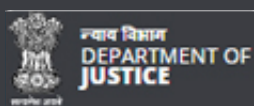
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