

ITEM NO.17

COURT NO.1

SECTION X

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Criminal) No(s).144/2023

NUPUR J. SHARMA & ANR.

Petitioner(s)

VERSUS

THE STATE OF TAMIL NADU & ANR.

Respondent(s)

(FOR ADMISSION and IA No.70566/2023-EX-PARTE STAY and IA No.70568/2023-EXEMPTION FROM FILING O.T.)

Date : 21-04-2023 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Petitioner(s) Mr. Mahesh Jethmalani, Sr. Adv.
Mr. Ravi Sharma, AOR
Ms. Mugdha Pande, Adv.
Mr. Anjani Kumar Rai, Adv.
Mr. Wedo Khalo, Adv.
Ms. Madhulika Rai Sharma, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

- 1 The petitioners have sought the quashing of FIR 43 of 2023 registered against them at PS Thirunindravur for alleged offences punishable under Sections 153A, 505(1) and 505(2) of the Indian Penal Code 1860.
- 2 The FIR arises out of a report carried in Opindia.com of which the first petitioner is the Editor pertaining to a report alleging ill treatment of Bihari migrant workers in Tamil Nadu.

- 3 According to the petitioners, a report was carried on on 2 March 2023 by Dainik Bhaskar and on 3 March 2023, Opindia.com, the online platform of which the first petitioner is the Editor, carried a similar story. However, it has been submitted that on 5 March 2023, after the story was retracted by Dainik Bhaskar, Opindia issued a clarification.
- 4 Since the petitioners have an alternative efficacious remedy under Section 482 of the Code of Criminal Procedure 1973, we are of the considered view that it would be appropriate to permit them to pursue the remedies available in law. However, having regard to the facts and circumstances, we direct that no coercive steps shall be taken against the petitioners for a period of four weeks so as to facilitate access to judicial remedies.
- 5 The petition is accordingly disposed of.
- 5 Pending application, if any, stands disposed of.

(SANJAY KUMAR-I)
DEPUTY REGISTRAR

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR