

# IT'S TIME TO DEFINE LIMITS OF SEDITION: SUPREME COURT

Relevant for: Indian Polity | Topic: Judiciary in India: its Structure, Organization & Functioning, Judges of SC & High Courts, Judgments and related Issues

Justice Chandrachud pointed out that the court had categorically told the States not to initiate penal action against the critics of COVID-19 management measures in an April 30 order.

Justice Chandrachud referred to how, in an earlier *suo motu* hearing, he had wondered whether sedition charges would be launched against a news channel that had published a photograph of two persons throwing the body of a COVID-19 patient into a river from a bridge in Uttar Pradesh. "I had this case [Andhra] in mind when I said that," he said.

The court acknowledged the argument that the media was well within its rights to air critical programmes about a prevailing regime without attracting sedition.

## 'Unfortunate assault'

TV5, represented by senior advocate Shyam Divan and advocates Vipin Nair and P.B. Suresh, and ABN Andhrajyothi argued that the sedition FIR against them was an "unfortunate assault". The State had accused them of sedition for reporting news about the pandemic in an "unbiased manner".

"Merely because the content of the news reported in an unbiased manner is critical of a government or not to its liking, it cannot be said that the news outlet has committed an act of sedition or inciting hatred. To do so would be directly contrary to the freedom of Press," ABN, represented by Guntur Pramod Kumar, said in the petition.

TV5 said the "vague" FIR had a chilling effect on free speech in the media.

## Plea for contempt case

Both channels urged the Supreme Court to initiate contempt proceedings against the senior officials of the State government for violating the April 30 order of the Supreme Court to "immediately cease any direct and indirect threats of prosecution and arrest to citizens, who air their grievances".

Here the Andhra government had "gone one step ahead" to penalise the media, the channels said.

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