

News

Police response to social media posts: Telangana High Court protections upheld by the Supreme Court



When handling criminal cases involving social media posts, especially those that contain political criticism, the Supreme Court approved comprehensive operating standards for police and magistrates.

A Telangana High Court ruling that established comprehensive operational guidelines prohibiting police authorities from automatically filing criminal cases based on social media posts—especially those that involve political criticism—was recently upheld by the Supreme Court [State of Telangana vs. Nalla Balu & Anr.].

Both the quashing of criminal proceedings against a social media user and the more comprehensive protections established by the High Court to avoid arbitrary police action were rejected by a bench of Justices JB Pardiwala and Vijay Bishnoi.

The case started when a number of first information reports (FIRs) were filed against a social media user in early 2025 for posting critical content about Chief Minister Revanth Reddy and the ruling Congress government.

The Chief Minister was the target of harsh political criticism, accusations of corruption, and derogatory language in the posts, which were posted on the platform X (previously Twitter). Several FIRs were filed in accordance with the terms of the Information Technology Act of 2008 and the Bharatiya Nyaya Sanhita (BNS) after complaints were made by police officers and other parties rather than the Chief Minister himself.

The defendants challenged these FIRs and petitioned the Telangana High Court to have the criminal proceedings quashed.

He contended that the posts were political opinions protected by Article 19(1)(a) of the Constitution, that none of the statutory elements of the offenses were proven, and that police FIRs at the request of unrelated complainants could not initiate criminal defamation because it is non-cognisable.

The High Court dismissed all three FIRs after reviewing the tweets, the legislative provisions, and the free expression clause of the constitution.

It ruled that, unless it goes beyond the bounds of incitement to violence, public disorder, or other clearly defined offenses, strong political criticism—no matter how offensive—does not qualify as criminal activity.

The High Court determined that the complaints amounted to abuse of the criminal procedure and were procedurally and substantively faulty.

In addition to dismissing the charges, the High Court went one step further and released a comprehensive set of operational rules that judicial judges and police agencies must adhere to in the event that social media posts give rise to complaints.

Verification of the complainant's status as a "**aggrieved person**," a preliminary investigation before to filing formal complaints for speech-related offenses, stringent protection of political speech, adherence to arrest precautions, and previous legal scrutiny in delicate instances were among these.

The State of Telangana, infuriated by this ruling, petitioned the Supreme Court to question the legality and coherence of the rules established by the High Court.

Speaking on behalf of the State before the Supreme Court, Senior Advocate Sidharth Luthra argued that while the State did not contest the relief given to the accused, it did request that the guidelines be reexamined on the grounds that they were internally inconsistent.

Nevertheless, the Supreme Court declined to get involved after carefully reviewing the rules established by the High Court. The bench stated unequivocally that it did not see any need to weaken or alter the protections.

The Court clarified that it was satisfied that there was no need for involvement after looking "**threadbare**" at the operational directives.

Along with lawyers Kumar Vaibhaw, Devina Sehgal, Somaya Gupta, Kushagra Raghuvanshi, Nav Prakash Singh Teji, and Aditi Mishra, Luthra represented the State.

See the comprehensive recommendations from the Telangana High Court ruling starting with paragraph 29.