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## **REDEFINING DIGNITY: THE LEGAL AND SOCIAL IMPACT OF HONEY ROSE V. BOBY CHEMMANUR**

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### **ABSTRACT**

Body shaming, a widespread societal issue, has come under considerable scrutiny in the Indian legal context after the Honey Rose v. Bobby Chemmanur case<sup>1</sup>. This article investigates the legal, ethical, and societal implications of the case, concentrating on defamation law application, the right to dignity, and the developing conversation surrounding personal self-expression and body positivity. This research seeks to situate the judgment of the Kerala High Court within India's socio-legal framework by analyzing judicial reasoning, statutory provisions, and public reactions.

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<sup>1</sup> C.D. Body @ Bobby Chemmanur v. State of Kerala [BA 535/2025]

## INTRODUCTION

Body shaming is the act of ridiculing or insulting someone's physical appearance. This conduct impacts the victim's mental health, as well as violating their self-esteem and dignity. The case of Honey Rose v. Bobby Chemmanur has highlighted the issue, igniting conversations about the necessity for tougher legal action to deal with such conduct. This article examines the background of the case, the legal arguments presented, and its wider implications.

A Single judge bench of Justice P.V. Kunhikrishnan, observed: *“body shaming is not acceptable in our society. Comments about the body of a person as too fat, too skinny, too short, too tall, too dark, too black, etc. should be avoided. There is a sense that we are all “too something,” and we are all “not enough”. This is life. Our bodies will change, our minds will change and our hearts will change. Everybody should be vigilant while making comments about others, whether they are men or women.”*<sup>2</sup>

## Case Background

### Parties Involved:

- **Honey Rose:** A prominent Malayalam actress known for her work in the South Indian film industry.
- **Bobby Chemmanur:** A businessman and social figure with a notable public presence.

## Incident Overview

- The accusations resulted from an event that happened on August 7, 2024, during the inauguration of the Chemmannur International Jewellers Showroom in Kannur.
- The complainant, who was invited as a guest, alleged that Chemmannur, the owner of the showroom in question and a businessman, sexually harassed her in front of a big crowd by holding her hand and twirling her without her consent and making her wear a necklace.

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<sup>2</sup> <https://www.lawbeat.in/news-updates/body-shaming-unacceptable-kerala-hcs-observation-while-granting-bail-bobby-chemmanur>

- Additionally, the complainant claimed that the accused made sexually provocative statements during the gathering and then posted derogatory comments about her body online.

### **Legal Background**

- The accused was charged under Sections 75(1)(i) and 75(1)(iv) of the Bharatiya Nyaya Sanhita (BNS), pertaining to physical contact and advances involving unwelcome and explicit sexual overtures, as well as making sexually colored remarks, respectively. Additionally, the accused faced charges under Section 67 of the Information Technology Act, 2000, for publishing or transmitting obscene material in electronic form.
- He was apprehended on January 8, 2025, and remained in judicial custody until the bail hearing.

#### ***Section 67 of the Information Technology Act, 2000-***

*Whoever publishes or transmits or causes to be published or transmitted in the electronic form, any material which is lascivious or appeals to the prurient interest or if its effect is such as to tend to deprave and corrupt persons who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied in it, shall be punished on first conviction with imprisonment of either description for a term which may extend to three years and with fine which may extend to five lakh rupees and in the event of second or subsequent conviction with imprisonment of either description for a term which may extend to five years and also with fine which may extend to ten lakh rupees.*

#### ***Section 75 of the Bharatiya Nyaya Sanhita , 2023-***

*(1) A man committing any of the following acts:—*

*(i) physical contact and advances involving unwelcome and explicit sexual overtures;  
or*

*(ii) a demand or request for sexual favours; or*

*(iii) showing pornography against the will of a woman; or*

*(iv) making sexually coloured remarks, shall be guilty of the offence of sexual harassment.*

*(2) Any man who commits the offence specified in clause (i) or clause (ii) or clause (iii) of sub-section (1) shall be punished with rigorous imprisonment for a term which may extend to three years, or with fine, or with both.*

*(3) Any man who commits the offence specified in clause (iv) of sub-section (1) shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.*

### **Legal Issues:**

- i. Whether the comments constituted defamation under Section 356 of the Bharatiya Nyaya Sanhita, 2023.
- ii. The applicability of Article 21 of the Indian Constitution (Right to Life and Personal Liberty) in protecting an individual's dignity.
- iii. The role of social media in exacerbating the harm caused by body-shaming remarks.

### **Contentions**

#### **Plaintiff's Contentions:**

Honey Rose argued that the remarks:

- Constituted a deliberate attempt to ridicule her physical appearance.
- Caused emotional trauma and professional harm.
- Violated her fundamental right to live with dignity and privacy under Article 21 of the Constitution.

### **Defendant's Defense:**

Bobby Chemmanur contended that:

- The remarks were made in jest and were misinterpreted.
- There was no intent to harm the complainant's reputation or dignity.
- Freedom of speech under Article 19(1)(a) protected his comments.

### **Court's Observations:**

The court underscored the balance between freedom of speech and the right to dignity. Key observations included:

- Public figures are not exempt from protection against defamatory or derogatory remarks.
- Comments that objectify or ridicule based on physical appearance harm an individual's dignity and reputation.
- The defendant's remarks constituted a violation of the complainant's rights and were actionable under defamation laws.

### **ARGUMENTS ON BAIL PETITION**

Senior Advocate B. Raman Pillai, the (bail) petitioner's attorney, contended that the complainant's tardy filing (delayed) of the case raised questions and that the accusations lacked merit. The complainant's actions after the incident were also cited as proof that she had no grievance.

Senior Public Prosecutor K.A. Noushad opposed the bail application, arguing that allowing Chemmanur to be released on bail bond (surety of 50,000 rs.) would be a bad message to the world. Chemmanur's claimed inappropriate behaviour, including motions that mimicked the complainant's physical structure, was demonstrated by the prosecution using video evidence.

## Court's decision

The court determined that there was a prima facie case against the accused after examining the evidence and the First Information Statement. Nonetheless, the offences carried penalties with comparatively lower maximum penalties (up to three years in jail).

The court stressed the idea that "bail is rule and jail is exception," restating that pre-trial confinement should be avoided unless absolutely required. It did this by citing Supreme Court decisions in instances such as Arnesh Kumar v. State of Bihar<sup>3</sup> and Chidambaram P v. Directorate of Enforcement<sup>4</sup>.

Hence, Bobby Chemmanur was released on bail bond after the payment of surety of 50,000 rs.

## Social and Legal Consequences

- ***Effect on Public Conversation:***

The case has increased awareness of body shaming, especially when it comes to women in public. It draws attention to the necessity of legislative protections against such actions, which compromise individual dignity.

- ***The Function of Social Media and the Media:***

The damage was made worse by the comments' widespread distribution on social media, highlighting the need of media outlets to filter offensive material.

- ***Recommendations and Legislative Gaps:***

Although body shaming is indirectly addressed by current regulations, the following are necessary:

- ***Specific IPC or BNS provisions:***

To expressly make body shaming a crime. Increased fines for online harassment and

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<sup>3</sup> 2014 INSC 463

<sup>4</sup> AIR 2019 SC 4198

stricter regulations on dangerous information are two goals of stronger cyber laws.

- ***Campaigns to raise awareness:***

By highlighting the negative impacts of body shaming and encouraging body positivity.

## **CONCLUSION**

An important turning point in the socio-legal framework of India's response to body shaming is the case of *Honey Rose v. Bobby Chemmanur*. It reinforces the judiciary's dedication to protecting people's rights and dignity, especially in the digital age when harm is magnified. Legal changes and societal shifts that promote tolerance and respect for individuality are urgently needed to guarantee a comprehensive strategy against body shaming.