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**THE DIGITAL PERSONA AND HUMAN DIGNITY: TRIPARTITE
ANALYSIS OF ARTIFICIAL INTELLIGENCE, CELEBRITY
IDENTITY AND CITIZENS RIGHTS**

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Abstract

The rapid evolution of Artificial Intelligence (AI) and generative media presents an existential challenge to the Right to Live with Dignity, a fundamental right enshrined under article 21, 14 & 19 of the constitution of India, rooted in the concepts of autonomy, self-determination, and the freedom from objectification. This paper undertakes a tripartite legal and ethical analysis of this challenge, examining the distinct, yet converging, threats posed by AI to the identities of Celebrities, Citizens, and the resulting Digital Persona. The paper argues that AI, particularly through deepfakes and advanced cloning, has created a regulatory vacuum by enabling the hyper-realistic, non-consensual exploitation of identity. For celebrities, the legal battle primarily centres on Personality Rights (Right of Publicity), where AI-driven fabrication of endorsements, voice-cloning, and performance replication threaten the commercial value and moral integrity of their persona. For instance in the landmark judgement of *Anil Kapoor v. Simply life India & others* (2023), the Delhi High Court issued a sweeping injunction restraining the unauthorised, AI driven use of Anil Kapoor's name, image, & even signature gestures and voice, recognising the threats deep fake technologies posed to personality rights & personal dignity. For the citizens, as the Supreme Court of India powerfully articulated in *K.S. Puttaswamy v. Union of India* (2017), "Privacy, in its simplest sense, allows each human being to be left alone in a core which is inviolable". This foundational principle becomes critically imperiled in the age of AI, where citizens face unprecedented threats to their constitutional right to privacy and dignity through AI-fueled

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surveillance, biometric data capture, algorithmic objectification, and the specter of non-consensual deepfake creation. Thus, the harm is more insidious, directly undermining their constitutional Right to Privacy and dignity through widespread, manipulative surveillance, biometric data exploitation, and the creation of intimate, fabricated content.

This analysis critiques the inadequacy of existing legal remedies relying on fragmented laws of defamation, passing off, and limited privacy statutes to address the speed, scale, and cross-jurisdictional nature of AI-generated harm. The article concludes by asserting that defending human dignity requires moving beyond siloed legal approaches (publicity vs. privacy) toward a unified, dignity-centric framework that imposes clear duties of care and mandatory transparency on AI developers and platforms, ensuring that the technology's power is constrained by the intrinsic worth of the human subject.

Keywords: Right to Privacy, Artificial Intelligence, Personality Rights, Human Dignity, Digital Persona.

I. Introduction

In September 2025, Bollywood icon Aishwarya Rai Bachchan walked into the Delhi High Court seeking protection from something that would have been unimaginable a decade ago: explicit deepfake videos of herself circulating on YouTube, complete with manipulated romantic scenarios and fabricated endorsements.³ Her case represents more than celebrity grievance; it symbolises the collapse of the boundary between authentic human expression and artificial manipulation, threatening the very foundation of human dignity in the digital age.

This is not an isolated incident. Across India, ordinary citizens are falling victim to increasingly sophisticated AI-driven identity theft. A 57-year-old Bengaluru woman lost ₹3.75 crore to fraudsters using a deepfake video of spiritual leader Sadhguru endorsing fake investments.⁴ In Kerala, a 73-year-old man was duped of ₹40,000 by a deepfake video call from someone appearing to be his former colleague.⁵ Finance Minister Nirmala Sitharaman

³*Aishwarya Rai Bachchan v AishwaryaWorld.com & Ors*, Delhi High Court, CS(COMM) 956/2025 (9 September 2025).

⁴'Bengaluru Woman Duped of ₹3.75 Crore in Deepfake Scam Using Fake Video of Sadhguru' *The Logical Indian* (10 September 2025).

⁵'Kerala man loses Rs 40,000 to AI-based Deepfake WhatsApp fraud' *India Today* (16 July 2023).

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recently acknowledged encountering "*several deepfake videos*" of herself promoting fraudulent cryptocurrency schemes.⁶

These cases illuminate a disturbing reality: artificial intelligence has democratised identity theft, making anyone's face, voice, and mannerisms exploitable commodities. With deepfake incidents in India surging by 280% between 2023 and 2024, and fraud attempts involving AI increasing by 2,137% over three years,⁷ we face what may be the greatest technological threat to human autonomy since the advent of the internet.

This article examines how AI-driven identity manipulation threatens three interconnected spheres: celebrity personality rights, ordinary citizen privacy, and the emerging concept of digital personhood itself. It argues that India's fragmented legal responses scattered across defamation, privacy, and cybercrime statutes, fails to address the fundamental constitutional challenge posed by synthetic media to human dignity.

1. Research Question

How does artificial intelligence, particularly deepfake technology and generative media, threaten the constitutional right to dignity and privacy for both celebrities and ordinary citizens in India, and what unified legal framework is necessary to protect human identity in the digital age?

2. Research Objectives

- (i) To analyse the doctrinal evolution of privacy and personality rights in Indian jurisprudence from pre-Puttaswamy to post-AI legal challenges
- (ii) To examine recent judicial responses to deepfake exploitation affecting both celebrities and citizens
- (iii) To evaluate the adequacy of existing statutory frameworks (IT Act 2000, DPDP Act 2023, BNS 2023) in addressing AI-driven identity manipulation
- (iv) To propose a dignity-centric legal framework that bridges the celebrity-citizen divide in digital rights protection

3. Research Hypothesis

India's current legal framework, fragmented across personality rights, privacy protection, and cybercrime statutes, is fundamentally inadequate to address the speed, scale, and

⁶FM says several deepfake videos of her are circulating' *Economic Times* (7 October 2025).

⁷'Deepfake Statistics & Trends 2025' *KeepNet Labs* (6 October 2025).

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sophistication of AI-enabled identity manipulation. Only a unified, constitutionally-grounded approach centred on human dignity can effectively protect both celebrity and citizen identities in the age of synthetic media.

II. Conceptual Foundations

1. The Constitutional Architecture of Digital Dignity

The Supreme Court's transformative judgment in *K.S. Puttaswamy v Union of India* established privacy as a fundamental right, with Justice Chandrachud's powerful observation that "*privacy, in its simplest sense, allows each human being to be left alone in a core which is inviolable.*"⁸ This "*inviolable core*" now faces unprecedented assault from AI technologies capable of perfect identity replication.

The constitutional framework linking dignity, privacy, and autonomy under Articles 14, 19, and 21 was never designed for an era where artificial intelligence could synthesise realistic human expression without consent. Yet Puttaswamy's emphasis on informational self-determination and the right to control one's digital footprint provides the doctrinal foundation for addressing synthetic media abuse.

The Digital Persona: From Static Image to Dynamic Manipulation

Traditional personality rights protected static elements—names, photographs, signatures. Today's "*digital persona*" encompasses dynamic behavioural patterns, speech mannerisms, facial expressions, and even personality traits that AI can extract from minimal data and reproduce convincingly.⁹ This evolution demands legal recognition that digital identity is not merely property but an extension of human dignity itself.

III. Tripartite Analysis: AI Threats Across Identity Spectrums

1. Celebrity Exploitation and the Personality Rights Revolution

(i) The Anil Kapoor Precedent: Judicial Recognition of AI Threats

The Delhi High Court's 2023 decision in *Anil Kapoor v Simply Life India & Ors* marked India's first comprehensive judicial response to AI-driven personality exploitation.¹⁰ Justice Prathiba M Singh's interim order restraining the use of Kapoor's "*name, likeness, image, and*

⁸K.S. Puttaswamy v Union of India (2017) 10 SCC 1 (Chandrachud J).

⁹Roger Clarke, 'The Digital Persona 20 Years On' (2013) <http://www.rogerclarke.com/ID/DP12.html>.

¹⁰Anil Kapoor v Simply Life India & Ors, Delhi High Court, CS(COMM) 820/2023 (25 September 2023).

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voice" specifically addressed AI manipulation, recognising that *"technological tools now available make it possible for any illegal and unauthorised user to make use of any celebrity's persona."*¹¹

The court's observation that celebrities have *"the right to privacy and [don't] wish that his or her image, voice is portrayed in a dark manner as is being done on porn websites"* acknowledged both economic and dignitary harms flowing from synthetic media abuse.¹²

(ii) Aishwarya Rai: The Deepfake Litigation Milestone

The 2025 litigation by Aishwarya Rai Bachchan and Abhishek Bachchan against YouTube represents the most comprehensive celebrity response to deepfake abuse in India.¹³ Their ₹4 crore damages claim targets not merely individual videos but the systemic platform policies enabling AI training on manipulated content. The 1,500-page petition details over 259 AI-

generated videos on the *"AI Bollywood Ishq"* channel, garnering 16.5 million collective views.¹⁴

Justice Tejas Karia's interim order mandating *"immediate takedown of unauthorized content and AI-generated material" within 72 hours established crucial precedent for rapid judicial intervention.*¹⁵ The court's recognition that unauthorised identity use *"will inevitably cause confusion and create a perception of endorsement"* extends traditional passing-off doctrine into the AI era.¹⁶

(iii) Doctrinal Evolution: From Commercial Harm to Constitutional Rights

The progression from *ICC Development (International) Ltd v Arvee Enterprises* (2003) establishing basic personality rights¹⁷ to current deepfake litigation reflects judicial recognition that celebrity exploitation transcends commercial injury. The Delhi High Court's consistent emphasis on dignity, reputation, and privacy grounds personality rights protection in constitutional rather than merely economic soil.

¹¹Delhi HC restricts unauthorised Use Of Anil Kapoor's name, voice, image' *MediaNama* (20 September 2023).

¹²*ibid.*

¹³'YouTube vs Aishwarya Rai-Abhishek Bachchan: Couple sues for Rs 4 crore in deepfake case' *Economic Times* (1 October 2025).

¹⁴*ibid.*

¹⁵'Delhi HC Protects Aishwarya Rai's Personality Rights, Orders Takedown of Infringing Content' *Law Beat* (10 September 2025)

¹⁶*ibid.*

¹⁷*ICC Development (International) Ltd v Arvee Enterprises* 2003 SCC OnLine Del 498

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2. Citizen Privacy Under Siege—The Invisible Victims

(i) Digital Arrest Scams: AI-Enabled Institutional Impersonation

The emergence of "digital arrest" scams represents AI's most pernicious exploitation of citizen trust. Between 2022 and 2024, such cases tripled while defrauded amounts increased twenty-one fold, reaching ₹1,935.51 crore in 2024 alone.¹⁸ Scammers use deepfake technology to impersonate police officers, CBI officials, and even Supreme Court proceedings, as in the ₹7 crore fraud against textile baron S.P. Oswal.¹⁹

The psychological manipulation is devastating. A 76-year-old Ghaziabad man was driven to contemplate suicide after deepfake harassment using a retired IPS officer's image.²⁰ These cases illustrate how AI exploitation targets citizen vulnerability rather than celebrity commercial value.

(ii) The Scale of Citizen Victimization

Statistics reveal the breadth of citizen exposure: over 75% of Indians online encountered deepfake content in the past year, with 38% experiencing deepfake-related scams.²¹ The Asia-Pacific region saw a 1,530% increase in deepfake fraud between 2022 and 2023, with India particularly affected.²²

Cases like the Bengaluru residents losing ₹95 lakh to deepfakes of Narayana Murthy and Mukesh Ambani²³ demonstrate how AI exploitation transcends individual targeting to become systematic economic predation. The Kerala man's ₹40,000 loss to a deepfake colleague²⁴ illustrates the personal relationship exploitation enabled by AI.

(iii) Judicial Response to Citizen Protection

The Supreme Court's increasing concern about digital harassment was evident in Justice Hima Kohli's observation that deepfake technology "*raises alarms regarding privacy invasion, security risks and propagation of misinformation.*"²⁵ Her warning that "*harassment*

¹⁸'AI-Driven Digital Arrest Scams: Legal Gaps in Regulating Deepfake Impersonation' *International Journal of Research Publication and Reviews* Vol 6, Issue 5 (2025).

¹⁹'Digital Arrest Scams: The Case of India's ₹7 Crore Fraud in 2024' *LinkedIn* (26 December 2024).

²⁰'How deepfake drove Ghaziabad man to brink of suicide' *Times of India* (29 November 2023).

²¹'Deepfake – How real is it?' *KPMG* (December 2024).

²²'Deepfake Statistics & Trends 2025' (n 5).

²³'Bengaluru residents duped of Rs 95 lakh by deepfake videos of Narayana Murthy and Mukesh Ambani' *Times of India* (4 November 2024).

²⁴(n 3).

²⁵'SC judge voices concern over online harassment, says deepfake tech raises privacy invasion alarms' *Times of India* (8 December 2023).

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within virtual environments is unbound by physical barriers or conventional working hours" recognises the 24/7 vulnerability created by AI-enabled identity theft.²⁶

The PIL filed by journalist Rajat Sharma seeking comprehensive deepfake regulation highlighted citizen helplessness against synthetic media abuse.²⁷ The petition's emphasis on *"fundamental rights guaranteed under the Constitution, including the right to freedom of expression, right to privacy and the right to a fair trial"* frames deepfake protection as constitutional necessity.²⁸

III The Regulatory Vacuum- Where Law Meets Technology

1. Statutory Inadequacy in the AI Era

India's approach to deepfake regulation remains reactive and fragmented. The Information Technology Act 2000 addresses identity theft (Section 66C) and impersonation (Section 66D), but these provisions predate AI's sophisticated manipulation capabilities.²⁹ The Bharatiya Nyaya Sanhita 2023 includes defamation by electronic means (Section 356), yet lacks specific synthetic media provisions.³⁰

The Digital Personal Data Protection Act 2023, despite comprehensive privacy protections, excludes publicly available data, the very source material for most deepfakes.³¹ This exclusion creates a regulatory gap where AI can exploit public images and videos with minimal legal consequence.

2. Platform Liability and Intermediate Challenges

The November 2023 Ministry of Electronics and IT directive requiring social media platforms to identify and remove deepfakes within 36 hours represents policy recognition of the problem.³² However, enforcement remains inconsistent, with platforms often lacking sophisticated detection capabilities.

The Aishwarya Rai case's challenge to YouTube's AI training policies raises fundamental questions about platform responsibility when user-uploaded content includes non-consensual

²⁶Ibid.

²⁷PIL filed by a journalist to curb deepfake menace' *SS Rana & Co* (28 July 2024).

²⁸Ibid.

²⁹Information Technology Act 2000, ss 66C, 66D.

³⁰Bharatiya Nyaya Sanhita 2023, s 356.

³¹Digital Personal Data Protection Act 2023, s 3(c)(ii).

³²Ministry of Electronics and Information Technology, 'Advisory on Deepfake Content' (7 November 2023).

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synthetic media.³³ The couple's argument that "*allowing creators to consent to their videos being used to train AI models is dangerous*" identifies a core regulatory challenge.³⁴

3. Towards a Dignity-Centric Legal Framework

(i) The Constitutional Imperative

The Puttaswamy judgment's emphasis on dignity as privacy's foundational value provides the constitutional architecture for comprehensive deepfake regulation. Justice Nariman's observation that dignity "encompasses the right of the individual to develop to the full extent of his potential" requires protection against AI-enabled identity theft that undermines personal autonomy.³⁵

4. Proposed Unified Framework

(i) Statutory Recognition of Digital Personhood

- a. Constitutional amendment recognising digital identity as fundamental right extension
- b. Statutory definition of "synthetic media" encompassing all AI-generated identity content
- c. Explicit criminalisation of non-consensual deepfake creation and distribution

(ii) Comprehensive Consent Frameworks

- a. Mandatory opt-in consent for any biometric data used in AI training
- b. Periodic consent renewal for ongoing digital identity usage
- c. Right to digital identity withdrawal and synthetic media removal.

(iii) Platform Liability and Detection Obligations

- a. Statutory duty to deploy deepfake detection technology
- b. Liability for hosting synthetic media after notice
- c. Mandatory content labelling for AI-generated material

(iv) Rapid Response Mechanisms

- a. 24-hour takedown requirements for non-consensual synthetic media
- b. Specialised cybercrime units with AI forensics capabilities
- c. Victim support services for deepfake abuse survivors

(v) International Cooperation Frameworks

³³(n 11).

³⁴(n 16).

³⁵ibid.

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- a. Cross-border enforcement mechanisms for synthetic media crimes
- b. Data sharing agreements for deepfake detection
- c. Harmonised legal standards with GDPR and emerging AI regulations

IV. Case Study Analysis: Judicial Evolution in Real-Time

1. The Aishwarya Rai Precedent: Bridging Celebrity and Citizen Rights

The Delhi High Court's approach in *Aishwarya Rai Bachchan v AishwaryaWorld.com & Ors* demonstrates judicial evolution from commercial personality protection to fundamental rights recognition.³⁶ Justice Tejas Karia's emphasis on "*the right to live with dignity*" when "*identity of a famous personality is used without their consent*" extends constitutional protection beyond celebrity status to human identity itself.³⁷

2. Citizen Protection: The Emerging Jurisprudence

The increasing judicial recognition of citizen vulnerability appears in cases like the Ghaziabad deepfake harassment³⁸ and multiple digital arrest prosecutions.³⁹ Courts are beginning to recognise that AI exploitation creates new categories of constitutional harm requiring enhanced protection.

Recent Judicial Interventions on Personality Rights and AI Misuse

The burgeoning crisis posed by Artificial Intelligence (AI) and generative media misuse has necessitated a rapid judicial response in India, particularly from the Delhi High Court, which has become a primary forum for public figures seeking to protect their personality rights. The recent actions taken by prominent actor Hrithik Roshan and renowned singer Kumar Sanu illustrate the evolving legal strategy against unauthorized digital exploitation. The Case of Hrithik Roshan, Establishing a Broad AI Injunction The Delhi High Court recently adjudicated upon the protection of the personality rights of actor Hrithik Roshan, delivering a significant interim ruling against the unauthorized commercial exploitation of his identity attributes through advanced technology. The matter, titled *Hrithik Roshan v Ashok Kumar/John Doe & Ors*⁴⁰, resulted in a robust order that expanded the ambit of protection available to celebrities against AI misuse.

³⁶K.S. Puttaswamy v Union of India (2017) 10 SCC 1 (Nariman J).

³⁷(n 1)

³⁸(n 13).

³⁹(n 18).

⁴⁰Delhi High Court, CS(COMM)1107/2025, 15 October 2025).

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The court granted an interim injunction restraining unidentified entities (John Doe defendants) from utilizing the actor's name, image, voice, or any other element of his persona for commercial gain⁴¹. Crucially, the order explicitly specified that the prohibition extended to technologies such as, "Artificial Intelligence, deepfakes, machine learning, face morphing, or GIFs".⁴² The injunction was predicated on the finding that such unauthorized use constituted a prima facie violation of Roshan's personality rights, which encompasses protection against content that is false, obscene, morphed, or distorted.⁴³ Furthermore, the Court directed the immediate removal of specified objectionable posts and online links that were using the actor's persona for commercial endorsement or other unauthorized purposes. While the ruling established stringent protection for commercial rights, the court was careful to differentiate between commercial exploitation and non-commercial usage, reserving ex-parte directions against non-commercial fan pages. Kumar Sanu's Analogue Challenge to Digital exploitation Contemporaneously, celebrated playback singer Kumar Sanu initiated similar legal proceedings before the Delhi High Court to safeguard his personality and publicity rights. Sanu's petition alleged the unauthorized circulation of morphed videos and defamatory content utilizing his name and likeness, often facilitated by generative AI.⁴⁴ This action is indicative of a broader trend among public figures who are compelled to seek judicial intervention to pre-empt and remediate digital identity theft⁴⁵. The singer's plea seeks statutory protection, particularly against the creation of fake AI content designed to mislead the public or damage his professional standing. This matter remains pending before the Court, expected to further clarify the application of personality rights jurisprudence in the context of hyper-realistic digital cloning and voice synthesis.⁴⁶ The proactive measures taken by both Roshan and Sanu underscore the growing judicial recognition of deepfakes as a tangible threat to the moral integrity and commercial viability of a public figure's digital persona.

⁴¹ *Ibid.*

⁴² *Ibid.* (Justice Manmeet Pritam Singh Arora observing that the actor's attributes constitute protectable elements of his personality rights)

⁴³ *Ibid.*

⁴⁴ *Kumar Sanu v John Doe & Ors* (Delhi High Court, Petition pending, [Suit No. Not Mentioned]).

⁴⁵ The pattern aligns with similar cases such as *Anil Kapoor v Simply Life India & others* (2023) and *Amitabh Bachchan v Rajat Nagi*, where judicial remedy was sought against unauthorized AI exploitation.

⁴⁶ The specific prohibition on the use of AI/deepfakes/machine learning for commercial gain directly addresses the rapid technological advancement noted by Panwar and Roy, emphasizing that existing legal frameworks require enhancement against deepfake misuse: Dr. Kuldeep Singh Panwar & Nilutpal Deb Roy, 'Rising Menace Of Deepfakes With The Help Of Ai: Legal Implications In India'

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V. International Comparative Analysis

1. GDPR and Digital Rights Protection

The European Union's approach through GDPR Article 22 (automated decision-making) and emerging AI Act provisions offers models for comprehensive synthetic media regulation.⁴⁷ The emphasis on data protection by design and explicit consent for biometric processing provides frameworks adaptable to Indian constitutional requirements.

2. United States: The Emerging Deepfake Legislation

State-level deepfake laws in California, Texas, and Virginia demonstrate diverse approaches to synthetic media regulation, from criminal penalties to civil remedies.⁴⁸ The proposed federal DEEP FAKES Accountability Act's disclosure requirements offer models for platform liability frameworks.⁴⁹

VI. Future Challenges and Technological Solutions

1. Detection and Attribution

The technical challenge of deepfake detection requires legal frameworks supporting technological solutions. Blockchain-based content verification, cryptographic watermarking, and AI-powered detection algorithms need legal recognition and enforcement mechanisms.

2. Cross-Border Enforcement

The transnational nature of AI-enabled identity theft requires international cooperation frameworks. India's proposed international AI governance initiatives should prioritise synthetic media abuse prevention and cross-border victim protection.

VII. Conclusion: Reclaiming Human Dignity in the Age of Artificial Identity

The convergence of judicial decisions in cases from Anil Kapoor to Aishwarya Rai, combined with the escalating victimisation of ordinary citizens, demands recognition that we face a constitutional crisis disguised as a technological problem. The Supreme Court's prescient observation in Puttaswamy that privacy protects the "*inviolable core*" of human

⁴⁷(n 16).

⁴⁸General Data Protection Regulation 2016/679, Art 22; Proposal for AI Act COM(2021) 206 final.

⁴⁹California Civil Code § 1708.86; Texas Business & Commerce Code § 21.151; Virginia Code § 18.2-386.2. DEEP FAKES Accountability Act, HR 3230, 116th Congress (2019).

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identity takes on urgent meaning when that core can be digitally replicated and weaponised by anyone with internet access.

The tripartite analysis reveals that celebrity and citizen exploitation, while manifesting differently, springs from the same source: AI's ability to appropriate and manipulate human identity without consent. The law's response cannot remain siloed between personality rights for the famous and privacy protection for ordinary citizens. Human dignity is indivisible.

India stands at a crossroads. We can continue with reactive, fragmented responses that leave victims, celebrity and citizen alike, vulnerable to synthetic media abuse. Or we can recognise that protecting human dignity in the AI era requires constitutional recognition that our digital selves deserve the same protection as our physical beings.

The proposed dignity-centric framework offers a path forward: comprehensive legislation recognising digital personhood, mandatory platform accountability, rapid response mechanisms, and international cooperation. Most importantly, it places human dignity, not technological capability or commercial interests at the center of legal protection.

As Finance Minister Sitharaman recently warned, deepfake technology reveals "AI's darker side."⁵⁰ The question is not whether artificial intelligence will continue advancing it will. The question is whether our legal systems will evolve quickly enough to preserve what makes us fundamentally human: the right to control our own identity, the freedom from digital violation, and the constitutional promise that every person's dignity celebrity or citizen remains inviolable.

The cases examined in this article from Aishwarya Rai's ₹4 crore lawsuit to the Ghaziabad man's near-suicide represent more than individual grievances. They are the frontlines of a battle for human agency in an age of artificial everything. The outcome will determine whether technology serves human dignity or whether dignity becomes technology's casualty.

Justice Chandrachud's vision of an "*inviolable core*" demands nothing less than constitutional revolution for the digital age. The time for incremental reform has passed.

⁵⁰*Ibid.*

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Human dignity in the age of artificial intelligence requires legal protection as sophisticated as the technology that threatens it.



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