



Impact Of Media Trials On The Judicial Process And The Fundamental Rights Of The Accused In India

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Abstract: Media trials have become increasingly prevalent in India, with media entities often assuming quasi-judicial roles in high-profile cases. This paper analyses the implications of media trials on the judicial process and the fundamental rights of the accused in India. Through examining key case studies and judicial responses, it investigates how media trials shape public opinion and affect fair trial rights, often leading to sensationalism, bias, and infringement of privacy. While media trials may aim to promote accountability, this paper argues for a regulatory framework to balance media freedom with safeguarding judicial integrity and the rights of individuals involved in legal proceedings. The paper offers insights into the need for responsible journalism that upholds democratic values without compromising due process and fairness.

Keywords: Media Trials, Judicial Process, Fundamental Rights, Fair Trial, Privacy, India

1. Introduction

The media is largely considered to be an essential part of Indian society and a critical pillar of democracy. Its importance stems from its ability to illuminate socioeconomic conditions, the effects of government policies, the difficulties faced by the general public, and social issues and change-oriented movements.

The media should ideally function objectively, showing no partiality to any particular person or political party. Its independence is vital because a functioning democracy depends on it. The idea of a free and independent press is debatable, though, and this must be acknowledged. In this context, recent events in India have led to the emergence of what are referred to as "media trials" or "trials by media." This phenomenon violates the fundamental rights of the persons affected and disrupts society. Character assassination and humiliation are common tactics used in media trials, which cause public outrage for illogical reasons. As a result, this changes how the public views the parties involved in these trials and may have an impact on the legal system.

The phenomena known as "media trial" describes how, either before or during a trial, the media—including print, broadcast, and social media—influences public opinion and bias against a specific case or person. In India, the public's perception and the resolution of high-profile cases are greatly influenced by the media. Public opinion can be influenced by the media, which can affect the accused and the legal system in both positive and negative ways. Since it serves as a watchdog and keeps those in authority responsible, the media is essential to a democratic society. Nonetheless, there have been cases where sensationalism, biased reporting, and media trial have all gone beyond moral bounds. These immoral actions have the potential to undermine the integrity of the legal system and infringe upon the accused's right to a fair trial. The Indian judiciary has taken action to solve the problem after realizing this. To guarantee that the accused gets a fair trial, the courts

have occasionally placed limitations on media coverage. Guidelines to control media coverage of ongoing trials have also been released by the Indian Supreme Court.

The Nithari killings, the Sheena Bora murder case, the Jessica Lal murder case, the Sunanda Pushkar case, the Sushanth Singh Rajput case, and the actor Dileep case are only a few examples of incidents in India where media trials have significantly influenced public opinion. These incidents demonstrate the power of media coverage to sway public opinion, mould the story, and even affect court cases. Maintaining ethical standards and upholding the accused's rights are vital, even though media coverage is necessary for public education and openness. While covering ongoing cases, the media must behave ethically and maintain journalistic integrity. The courts must simultaneously guarantee that the accused is given a fair trial free from the influence of the media.

2. Methodology

This paper employs a qualitative case study method to explore the impact of media trials on the judicial process and the fundamental rights of individuals in India. Key cases, including those involving prominent public figures, are analysed to assess the influence of media coverage on public perception, judicial impartiality, and individual rights. Additionally, legal frameworks such as the Contempt of Courts Act and judicial precedents are reviewed to understand the boundaries of media reporting in sub judice matters. This approach highlights the intersection of media ethics, legal limitations, and the balance between transparency and judicial fairness.

3. A Few Indian Media Trial Cases

The sensationalized coverage of criminal cases by the media, frequently coupled with skewed reporting and conjectural narratives, is what defines media trials. The media tends to sensationalize situations, making them into media spectacles, because of greater ratings and more readership and watching. As a result, before the trial even gets to the courtroom, it is held in the court of public opinion.

- **The Case of Aarushi Talwar:** One of the most extensively reported and sensationalized instances in India was the 2008 murder of 14-year-old Aarushi Talwar in Noida, along with the family's domestic helper Hemraj. Following the murder of Aarushi in her house, Hemraj's body was found on the terrace. A protracted inquiry and several competing ideas resulted from the first investigation's confusion and contamination of the murder scene. Intense public attention and media speculation resulted from the police and Central Bureau of Investigation (CBI) accusing Aarushi's parents, Dr. Rajesh and Nupur Talwar, in turn.

The case was sensationalized by the media, which frequently focused on graphic and unsubstantiated elements. News organizations spread speculations about the Talwars' family dynamics, accusing the parents of wrongdoing and even making moral judgments. As a result, the Talwars were portrayed as guilty in the court of public opinion long before any concrete evidence was offered in court, resulting in a large "trial by media." Widespread bias resulted from the media's intrusion into their private lives and unrelenting coverage of the case; some channels presented erroneous narratives and ran speculative reenactments.

Despite their repeated claims of innocence, the Talwars were found guilty in 2013 primarily on the basis of circumstantial evidence. The Allahabad High Court cleared them in 2017, citing a lack of evidence and criticizing the initial inquiry and the lower court's reliance on conjecture. The case demonstrated how public opinion can influence court decisions due to extensive media scrutiny, often disregarding the presumption of innocence or legal standards. The Aarushi Talwar case continues to serve as an illustration of how media trials have the ability to violate individual rights, skew public perception, and affect legal proceedings.

- **The Sheena Bora Case:** The 2012 murder of Sheena Bora, which was reportedly carried out by her mother, Indrani Mukerjea, her stepfather, Peter Mukerjea, and her driver, became a high-profile media spectacle when the case was reopened in 2015. This case was very sensational since Sheena's body was discovered three years after her death and because prominent individuals were implicated. Indrani Mukerjea, a media professional and Peter Mukerjea's ex-wife, was accused of planning Sheena's murder due to personal and financial issues.

The media closely followed the case at every turn, frequently highlighting the Mukerjeas' riches, lifestyle, and family relationships. The stories, which included comprehensive information, speculations about family secrets, and discussions about Indrani's character, often presented her as a manipulative individual. The story that emerged from this thorough investigation convinced the public of Indrani's guilt before a decision was made.

The public got enthralled and made conclusions based on speculative or inadequate data as a result of the media's intensive coverage of trial procedures, which usually gave precedence to dramatic details over factual updates. Some media even created timelines and performed reenactments to heighten public perceptions of guilt.

The Sheena Bora case raised important questions about media ethics and the right to a fair trial. Legal experts argued that the impartiality of the legal system may be impacted by public opinion and extensive media coverage. Similar to the Aarushi Talwar case, the media's emphasis on dramatic elements rather than verified facts posed the risk of overshadowing the case's legal difficulties. The legal defence of Indrani and Peter Mukerjee had challenges as a result of the pre-emptive rulings made in public view, highlighting the difficulty of ensuring a fair trial in the face of such widespread media coverage.

- **Media Trial of Sanjay Dutt Case:** The media keenly followed Bollywood star Sanjay Dutt's trial because of his probable involvement in the 1993 Mumbai blasts. Dutt was accused of illegally carrying firearms, which were allegedly linked to the terrorist attacks that killed hundreds of people. The case garnered a lot of media attention, which painted Dutt as either an experienced criminal or a misguided celebrity. Public opinion was greatly influenced by headlines that often-contained sensationalized information about Dutt's lifestyle and his connections to underworld figures.

The media's portrayal of Dutt polarized public opinion and raised questions about his character rather than focusing solely on the legal aspects of his accusations. Many thought that the media had conducted a parallel trial, which affected public and perhaps judicial perception. Even after being found guilty and sentenced to prison under the Arms Act, Dutt was often seen as a symbol of celebrity privilege in India's legal system. During the media trial, his appeals and sentencing reductions were scrutinized by the public, which heightened conversations over equal treatment under the law.

- **Jessica Lal Murder Case:** One of the most well-known media trials in India was the 1999 murder of Jessica Lal and the subsequent acquittal of Manu Sharma, the primary suspect. After refusing to serve beverages past closing time at a private party with well-known attendees, Jessica, a model and bartender, was shot and killed. Due to a lack of proof and suspected witness coercion, Manu Sharma, the son of a well-known politician, was found not guilty. A widespread public outrage followed the acquittal, and the media launched a campaign calling for Jessica's justice.

In this instance, media coverage was crucial. Newspapers and news outlets frequently reported on how the legal system failed to shield common people from wealthy elites. A retrial ultimately led to Sharma's conviction in 2006 after public indignation stoked by unrelenting media coverage prompted more investigations. A well-known illustration of how the media can influence legal processes is the "Justice for Jessica" movement. Critics countered that by eschewing legal etiquette, the media trial may have put pressure on the judiciary to act in response to popular pressure. This case is frequently referenced as a warning about the negative effects of media-driven legal processes as well as a triumph in the cause of media-led justice campaigning.

- **The Sushil Sharma v. The State (Delhi Administration and Ors., 1996) case:** is frequently linked to one of India's first and most heated media trials. Sushil Sharma, a well-known Youth Congress activist, was charged in this high-profile case with killing his wife, Naina Sahni, and trying to burn her body in a Delhi restaurant's tandoor (clay oven) to get rid of it. Because of the brutality of the crime, Sharma's political ties, and the purported cover-up attempts, this horrific event gained widespread media attention and became known as the "Tandoor Murder Case."

The murder's facts were widely reported by the media as soon as the case was made public, with particular attention paid to the crime's dramatic elements and the horrifying way the body was disposed of. Sharma's personal life and political connections were regularly featured in news publications, which portrayed him as a vicious person who abused his position of power. Public fury was stoked by this constant coverage; even before the trial started, newspapers, TV stations, and radio shows called Sharma a "monster" and a "cold-blooded killer." Public opinion was greatly impacted by the media's portrayal of Sharma as guilty even prior to his conviction.

The public's perception of Sharma's guilt was primarily established by this protracted media trial, which may have put pressure on the judges to share that view. Such media coverage, according to critics, could skew court proceedings and compromise the idea of a fair trial since the court might feel pressured to render a decision that aligns with public expectations in order to prevent criticism.

The Tandoor Murder Case brought up important issues regarding the effect of media trials on judicial justice, even though Sharma was ultimately found guilty and given a death sentence (which was later commuted to life in prison). With its frequent inference of guilt and dramatic storytelling, the extensive

media coverage sparked a heated discussion about whether Sharma's right to a fair trial had been violated. Later conversations on media ethics, the importance of responsible journalism, and the risks of disclosing unconfirmed information that could skew court decisions were influenced by this case.

- **Sunanda Pushkar Case:** On January 2014, Sunanda Pushkar, the wife of Congress leader Shashi Tharoor, was found dead in a New Delhi hotel under dubious circumstances. Her death generated a lot of media attention, most of it speculative rather than factual. Early reports speculated about a variety of causes as the media looked into Pushkar's personal life and her relationship with Tharoor, ranging from marital strife and alleged infidelity to disagreements at work.

The media quickly presented Pushkar's death as a high-profile murder mystery, with news organizations frequently presenting unsupported theories, such as accusations of poisoning and foul play. The well-known politician Shashi Tharoor was the focus of intense scrutiny and media conjecture on his possible involvement, even in the absence of concrete evidence. The publicity, which usually portrayed Tharoor as guilty before a formal conviction or accusation was made, frequently overshadowed the legal proceedings.

Because of the case's sensationalism, which significantly influenced public opinion against Tharoor, a "trial by media" ensued. The aggressive coverage, which mostly focused on character assessments and private information, was criticized for potentially influencing potential jurors or judges and for violating Tharoor's right to a fair trial. The extensive media speculation it generated has acted as a cautionary tale about the perils of media trials in high-profile cases.

- **Aryan Khan Drug Case:** The son of Bollywood actor Shah Rukh Khan, Aryan Khan, was taken into custody during a search on a cruise ship off the coast of Mumbai in October 2021 on suspicion of possessing and using drugs. Even though no narcotics were discovered in Aryan's possession at the time of his arrest, his arrest generated a great deal of media interest, with multiple news outlets constantly reporting on it and making assumptions about his personality, family history, and suspected involvement in the drug trade.

The public was strongly outraged and calls for strict punishment were made after major news stations carried opinionated segments portraying Aryan as a pampered celebrity youngster involved in unlawful acts. Because so many news outlets implied guilt despite the lack of strong proof directly connecting Aryan to drug trafficking, this image fuelled popular hostility against him.

Concerns regarding the right to privacy and the presumption of innocence were brought to light by the Aryan Khan case. The media's intense focus on Aryan's personal and family life was condemned by legal experts, who said that the coverage swayed public opinion in ways that might have an impact on judicial justice. Although Aryan was eventually released on bond after a few weeks and no narcotics were discovered on him, the case highlighted the difficulties in guaranteeing a fair trial when there is a lot of media attention.

- **Disha Ravi Climate Activism Case:** A 22-year-old climate activist named Disha Ravi was detained in February 2021 on suspicion of altering and disseminating a "toolkit" about the farmers' protests in India that officials said was connected to inciting violence. The media quickly reported on Disha's arrest and discussed her participation in international activist networks, occasionally presenting her as a participant in a global plot against India.

Disha's case received highly political media attention, with some outlets implying that her acts were "anti-national" and connected to a wider plot against the Indian government. Several media outlets presented the toolkit, an informative document frequently used by activists to list resources for demonstrations, as proof of sedition. Public opinion was influenced by this framing, as numerous news organizations portrayed Disha as a national security threat rather than a climate activist who was in favour of the farmers' demonstrations.

Disha's case brought up important issues regarding how media narratives affect free expression, particularly when young activists are involved. Legal experts noted that there was insufficient evidence to support the media's portrayal of Disha as a conspirator, which could have compromised her right to a fair trial and the assumption of innocence. The case also brought attention to the difficulties faced by Indian activists, who frequently endure harsh media attention that can breed prejudice in the public and make it hard for them to be treated fairly in the legal system.

- **Sridevi Death Issue:** One of the most widely reported news events in India was the unexpected death of famed Indian actress Sridevi in February 2018, which sparked a sensational and contentious high-profile media trial. One of Bollywood's most adored and renowned actors, Sridevi, was discovered dead in her Dubai hotel room. While initial reports suggested a heart arrest, the official cause of death was

listed as "accidental drowning" in her bathtub. But because of Sridevi's notoriety and the suddenness of her passing, the story soon gained widespread media attention.

After her death was announced, Indian media sources covered her death nonstop, with some networks airing conjectural hypotheses regarding the circumstances of her demise. Although Sridevi's family and Dubai authorities stated that her death was an accident, other media outlets offered speculations that went beyond the official conclusions and suggested that foul play might have been involved. Some news outlets examined video from her most recent public appearances, inquired about her personal life, and even invited forensic and criminal specialists to speculate on possible outcomes.

Public interest was piqued by this dramatic coverage, but it also brought up moral questions. As media attention examined Sridevi's life, relationships, and habits, her family experienced severe distress. Even though there was no evidence to support foul play, a large portion of the coverage went into personal territory, addressing aspects like her beauty, health, and lifestyle choices. This led to popular doubt over the stated cause of death.

The way the media handled Sridevi's passing brought to light how extensive coverage may violate a person's privacy, even after they have passed away, as well as the privacy of their family. The media's presentation of Sridevi as a mystery increased public interest in her life and death, which in turn fuelled rumours and conjecture while increasing viewing. In order to add a sensationalist element that went beyond acceptable reporting, some media outlets even reenacted hypothetical scenarios of her death.

Important issues regarding journalistic ethics and the role of media outlets in high-profile death cases were brought up by the media trial in Sridevi's case. Speculation and sensationalist notions were frequently given priority in news coverage rather than factual knowledge. The rigorous inspection, according to critics, violated the deceased's dignity and disregarded the bereaved family's right to privacy.

This story emphasizes the value of responsible journalism and serves as a warning about the media's ability to sway narratives even in the lack of factual data. Sridevi's passing serves as an example of how media trials can cause unwarranted public mistrust, cause emotional distress for bereaved families, and establish a standard for how famous individuals' private lives are handled following tragedies. It highlights how important it is for media outlets to strike a balance between the public interest, private protection, and ethical reporting standards, particularly when covering delicate subjects.

3.1 An Overview of Rhea Chakraborty's Media Trial

On June 14, 2020, Bollywood actor Sushant Singh Rajput was discovered dead in his Mumbai flat. According to the postmortem reports, suffocation from hanging was the cause of death. In the same week, Sushant's family accused Indian actress Rhea Chakraborty, who had been his girlfriend, of aiding and abetting his suicide in addition to other charges including embezzling his money, giving him narcotics, and separating him from his family. Rhea was even accused by Rajput's sister of being interested in black magic.

The case had been widely reported by a number of news outlets and social media sites, which led to sensationalism, conjecture, and character assassination. All of the accusations made against Rhea were reported by the media, which produced a biased story that portrayed her as the bad guy. While media trials affected public opinion, she was subjected to severe scrutiny, defamation, and internet harassment.

Even before any court hearings occurred, the media sensationalized and covered the accusations against her in great detail, conducting parallel trials. They presented a fresh story to the audiences each week, ranging from reading Sushant's diary to speaking with a "paranormal expert" who said they had spoken with his ghost. To draw readers in, news outlets and publications used attention-grabbing titles like "Arrest Rhea," "What does India have to say about Rhea's lies?" "Rhea's black magic on Sushant," and "Manipulation of Rhea on Sushant." Rhea was frequently depicted negatively in these headlines. News channels provided constant prime-time coverage, with journalists, attorneys, and experts debating, analysing, and expressing their opinions on the issue. The media engaged in conjecture and reported it as truth. Without solid proof, it resulted in character assassination and a bad impression of Rhea. Reporting on Rhea's personal information, financial dealings, and mental state was an infringement on her privacy. In order to hold debates and assume Rhea's guilt, some news anchors pretended to be judges. A number of media people surrounded her, interrogating her and attempting to establish her guilt. Her sibling, parents, neighbours, and watchman were all spared.

In this instance, public opinion was significantly shaped by the media trial. The media portrayed Rhea as the primary offender, emphasizing the bad parts of her life and the accusations made against her. The public developed a sense of guilt as a result of this image. The public's perception of Rhea was also shaped by

attention-grabbing headlines, images, and continuous coverage. Public judgment resulted from the biased media, which prevented a fair legal process. As a result of the social media users' continued discussion, criticism, and sharing of their thoughts regarding the issue, hostile narratives went viral and public animosity toward Rhea intensified. The public's perception of her guilt was influenced by the media trial, which disregarded the presumption of innocence and the significance of impartial legal proceedings.

Former Indian Solicitor General Harish Salve said in a 2015 interview, "I acknowledge that the notion that these viewpoints have no bearing on the final decision is a 'legal fiction.'" The problem nowadays is that everything is now judged and decided by the tiny screen. As a lawyer, they do make a difference. The jury might be swayed or even witnesses could be intimidated by the media's widespread coverage and presentation of Rhea as guilty. It may have an effect on the justice system's impartiality and undermine the idea of "innocent until proven guilty." The media trial crossed the boundaries between journalism and the legal system by conducting its investigation, airing unconfirmed material, and interviewing witnesses. Investigative agencies and the judiciary are under tremendous pressure to act as a result of the ongoing media coverage and scrutiny. It might have affected the case's tempo and vigour, which could have affected impartial research and decision-making. Political figures also participated in and made statements during the media trial. Influential political leaders' involvement can frequently affect the legal system and subtly affect the verdict.

Rhea was significantly impacted by the media trial in a number of ways. The media concentrated on accusations and unfavourable facets of her personal life, character assassinating her. Her reputation and public image were badly damaged by this portrayal. She experienced severe psychological and emotional stress as a result of the ongoing media attention. Rhea's acting career was greatly harmed by the media trial. Her career prospects were impacted by the unfavourable public opinion fostered by media coverage. She had trouble getting work, and a number of production companies and brands shunned her. Rhea experienced threats to her safety and public abuse as a result of the heavy media trial. She claims in an interview that the media hunt, which involved calling her names and making other accusations against her in an attempt to paint her as guilty, caused her to consider suicide. Her personal and professional lives were significantly impacted by the media trial. She lost professional chances, experienced psychological pain, and was demonized as a result. Even as the probe was going on, Rhea had complained in an affidavit to the Supreme Court about the unfair media trial that was trying to prove her guilt.

Discussions on the necessity of responsible journalism and the ethics of media coverage have been rekindled by the Rhea Chakraborty media trial. It emphasizes how crucial it is to take into account how media coverage affects a person's life and how equitable the legal system is. A public court discussion and argument about determining guilt replaced what could have been a discussion about suicide prevention policies and India's mental health issue. The Supreme Court of India has also ordered the Union Home Ministry to draft guidelines, describing media trials as biased reportage that could lead to public suspicion that the individual has committed a crime.

3.2 An Overview of Actor Dileep's Media Trial

The Actor Dileep case is another prominent example of a media trial, where extensive media coverage and public scrutiny have influenced public perception and created intense debates over privacy, fairness, and the role of media in high-profile criminal cases. Dileep, a popular Malayalam film actor, was implicated in a 2017 case involving the abduction and assault of a fellow actress, sparking nationwide outrage and intense media interest. The case became a major scandal in the Malayalam film industry and led to a police investigation that culminated in the arrest of Pulsar Suni, the primary accused. Months after the initial incident, actor Dileep was accused of being the mastermind behind the assault, allegedly orchestrating the attack as revenge due to personal grievances with the victim. Dileep was arrested, and he spent nearly three months in custody before being released on bail.

From the outset, the case received massive media coverage. The media's portrayal of Dileep was polarizing, with some outlets presenting him as the mastermind behind a conspiracy and others questioning the evidence against him. The narrative was often speculative, with media houses focusing on Dileep's alleged motives and his connections within the film industry, fuelling public outrage and leading to a series of protests demanding justice for the survivor. The story became a national headline, with constant updates and dramatic reenactments broadcasted by various news channels.

The media trial in this case extended beyond Dileep, with journalists delving into personal details of both the accused and the victim. Dileep's relationships, business interests, and prior disputes within the film industry were dissected in public forums. The actress's life and past relationships also became a subject of public conversation, which some critics argued compromised her privacy and added to her trauma. This invasion of personal boundaries and the sensationalist coverage shifted the focus from the legal proceedings to the private lives of those involved.

The extensive media coverage created a powerful narrative that, in many ways, pre-empted the judicial process. The public's opinion about Dileep's guilt or innocence was heavily influenced by media portrayals, with social media platforms amplifying the views expressed by traditional news channels. This public judgment created an environment of intense scrutiny, not only for Dileep but also for the survivor, who had to relive the trauma repeatedly due to the unrelenting coverage.

The Kerala High Court eventually granted Dileep bail, stating that continued detention without trial was unwarranted based on the available evidence. However, the public opinion shaped by the media trial contributed to a highly polarized environment, where his guilt or innocence was debated well before any legal conclusion. The case even affected the Malayalam film industry, with actors and film associations taking sides, and boycotts being organized against those who supported Dileep.

The Dileep case highlights several ethical concerns associated with media trials:

- **Presumption of Innocence:** Despite the legal principle of innocent until proven guilty, the media coverage surrounding Dileep effectively painted him as guilty from the start. This media-driven presumption of guilt created an atmosphere where the judicial process was seen as secondary to public opinion, potentially compromising his right to a fair trial.
- **Privacy Violations for All Parties Involved:** Both Dileep and the survivor faced a significant invasion of privacy, as personal information and alleged motives were discussed publicly. The survivor's identity, although initially protected, was indirectly revealed through discussions of her work and associations, causing further distress. This intrusion raised concerns about the ethics of media coverage in sensitive cases involving assault and personal trauma.
- **Sensationalism and Trial by Media:** Media outlets frequently leaned into sensationalist reporting, focusing on dramatic narratives and speculative motives rather than verified facts. This approach not only intensified public opinion but also influenced the legal discourse, with pressure mounting on the judiciary to act swiftly and decisively in response to the public outcry.
- **Impact on the Broader Film Industry:** The case affected relationships within the Malayalam film industry, leading to divisions among actors, directors, and associations. The case became symbolic of broader issues within the industry, such as gender dynamics and power struggles, which media exploited to draw in larger audiences.

These are only a few instances where media trials violated people's privacy and resulted in incomplete narratives, some of which were politically motivated. It raises the crucial question of how to reconcile the freedom of the media to spread knowledge with an individual's right to privacy. The extensive and speculative coverage in this case raises major concerns about how to strike a balance between reporting on issues of public interest and protecting the privacy and dignity of those affected, even while media attention can be helpful in bringing severe crimes to the public's attention.

These cases highlight the importance of ethical journalism that respects the rights to privacy and due process, especially when dealing with delicate accusations. To safeguard individual rights and guarantee that justice is administered impartially, free from the undue influence of public opinion created by media narratives, it is nevertheless crucial to strike a balance between judicial integrity and public knowledge.

4. The Freedom of the Media to Spread Information and the Right of Individuals to Privacy

The analysis of prominent cases emphasizes the need for ethical journalism that respects individual rights and judicial processes. Media houses should prioritize balanced reporting over sensationalism, adhering to professional standards to avoid influencing public opinion prejudicially. The Contempt of Courts Act, alongside constitutional provisions, empowers the judiciary to impose restrictions where media coverage threatens judicial impartiality, ensuring the public's right to fair and unbiased information. While Article 19(1)

of the Indian Constitution guarantees the "Freedom of Speech and Expression," Article 19(2) acknowledges that this freedom is subject to limitations and is not absolute.

In the midst of a parallel trial, the media released private information, such as chat logs, bank transactions, and private photos. In a plea submitted to the Bombay High Court, social activists claimed that organizations looking into a well-known death case had given the media access to private material that was then made public. In response, the court requested the central government to explain its power over news broadcasts with significant consequences and voiced worries about the lack of state oversight on electronic media.

India acknowledges the right to privacy in its constitution, although lacking a comprehensive privacy law. Nonetheless, journalists are permitted to disseminate material they believe to be of public interest due to exemptions for processing personal data for journalistic reasons included in the upcoming Personal Data Protection Bill (PDPB). It has sparked worries about possible privacy violations. India relies on self-regulatory organizations with voluntary memberships in lieu of a formal regulation structure for the media. These organizations, which have rules and deal with complaints of violations, include the News Broadcasters Association, the Broadcast Editors Association, and the News Broadcast Federation. It is questionable if these self-regulatory entities are successful, nevertheless.

Individual privacy is at risk due to unrestrained media intervention and inadequate regulation, which is why media outlets need a codified law and a separate regulatory authority. Until a strong privacy law is passed, courts should aggressively handle privacy infractions in media prosecutions.

5. Media Trials' Effects on the Judiciary and Verdicts

The administration of just verdicts and judicial procedures may be significantly impacted by media trials. Given that widespread media coverage frequently shapes public opinion, particularly in high-profile cases, this tendency raises questions about the judiciary's ability to withstand outside pressure. The following are some significant ways that media trials affect the legal system and its decisions:

- **Judges' pressure and the impartiality of the judiciary:** A fair legal system is predicated on judicial impartiality, where judges are expected to base their rulings exclusively on the facts of the case and the law. On the other hand, widespread media coverage that portrays an accused person as either guilty or innocent might subtly persuade the judiciary to render decisions that reflect popular opinion. The independence of judges' decisions may be impacted in delicate instances by this media-induced pressure, which might put them in a position where they fear public backlash.

For instance, the murder trial in *Sushil Sharma v. The State (Delhi Administration and Ors., 1996)* was widely covered by the media, which painted the defendant as guilty long before the trial was over. Because public opinion was already strongly skewed, this representation placed a great deal of pressure on the judges, making it difficult to render a fair and unbiased decision. Biases in the media can therefore jeopardize due process rights and jeopardize judicial independence.

- **Impact on Judges' Views and Decisions:** Judges are not completely immune to public opinion since they are human. Even though students are taught to only trust the evidence that is given in court, they may unconsciously be influenced by constant sensationalized media coverage. According to research in judicial psychology, external narratives—especially those that are frequently reaffirmed by the media—may subtly influence how decisions are made. The way high-profile cases are portrayed in the media can make judges feel more obligated to take public opinion into account, particularly when the case is emotionally charged or extensively followed.

The Supreme Court acknowledged that media coverage of ongoing cases can compromise judicial impartiality and potentially influence the outcome in the *Sahara India Real Estate Corporation Ltd. v. SEBI* case. The Court emphasized that in order to protect the court from media influence and maintain the integrity of judicial decision-making, it may occasionally be essential to delay publication.

- **Impact on Evidence and Witnesses:** Witnesses, whose testimony is essential to the legal process, are likewise impacted by media trials. Witnesses may get intimidated, be disinclined to testify, or even have their memories and interpretations of events influenced by media attention to certain stories. Witnesses may feel threatened or under pressure to change their testimony in situations when they are

the subject of intense scrutiny or when their identities are made public out of concern for public backlash or charges of dishonesty.

Furthermore, in situations with a lot of media coverage, investigative organizations may feel under pressure to move quickly or to conform their conclusions to the views of the general public, which could compromise the calibre and objectivity of the evidence offered in court. For example, widespread media coverage of the Jessica Lal murder case greatly increased pressure on law enforcement to move quickly to complete the investigation and find a solution. Although the public's demand for justice is legitimate, it may unintentionally result in judicial short cuts that jeopardize the trial's fairness and completeness.

- **The deterioration of public confidence in the judiciary:** Trials in the media have the power to skew the public's opinion of the courts and foster mistrust of court decisions and procedures. The public may perceive the courts as biased or ineffectual when a case is sensationalized by the media and the court's ruling differs from popular opinion. This mistrust is especially noticeable when the accused are powerful people or when the media has presented a particular story that the court disagrees with. The public's response, for instance, might vary from scepticism to explicit charges of judicial corruption or favouritism when the court's decision differs from how the media has reported it. People may start to see the legal system as secondary to media rulings as a result of this erosion of public trust in the judiciary, which could weaken the institution's authority. Such a decline can have long-term effects in democracies, where public trust is essential to the efficient operation of judicial institutions.
- **The Presumption of Innocence is being undermined:** The foundation of the legal system is the assumption of innocent until proven guilty. However, accused people are frequently shown as guilty in a media trial before their case has even been heard in court. This undermines the presumption of innocence because public opinion influenced by the media may conclude that someone is guilty based on speculative reporting or unconfirmed information. Miscarriages of justice may result from the judiciary being under pressure to respond to public demands rather than adhere to legal procedures.

This erosion is best illustrated by the example of Rhea Chakraborty, who was tried in the court of public opinion prior to any court decision because of the media's portrayal of her as a guilty party. In addition to having an effect on her reputation and personal life, this public trial also sparked questions about whether she would be given an impartial trial given the power of the media.

6. Media Trial and Privacy Rights

The concept of privacy, which recognizes an individual's right to seclusion and privacy, has become increasingly important in today's society. The push to acknowledge privacy as a fundamental right reflects an increasingly individualistic society in which the focus has moved from society to the rights and autonomy of the individual. Article 12 of the Universal Declaration of Human Rights protects the right to privacy. No one is allowed to arbitrarily interfere with another person's honour, reputation, family, home, correspondence, or privacy, according to this declaration. The Indian Supreme Court has declared the "right to privacy" to be a fundamental right.

Privacy law has evolved in response to the changing nature of individual and societal rights. It acknowledges that everyone is entitled to privacy, to have their personal space un-encroached, and to have their private and reputation shielded from unwarranted legal intrusion. People often consider privacy and freedom of speech and expression to be two sides of the same coin. Particularly in this age of pervasive media, someone else's right to information may infringe upon the right to privacy. When these two rights are harmonized, a delicate balance is created.

Despite not being explicitly stated as a fundamental right, Indian courts have acknowledged the right to privacy through creative interpretations of the constitution's Article 21 right to life and Article 19(1)(d) right to freedom of movement. The right to privacy is currently protected by law in India. Although the concept was initially rejected in the Khark Singh case, subsequent rulings such as Govind vs. State of M.P. acknowledged a limited right to privacy. The courts have also implicitly recognized the right to privacy in cases when the media has encroached on people's lives.

The freedom of the press and the right to privacy collide during media trials, which can occasionally lead to in-depth reporting on private topics that infringes on privacy. Journalists who violate privacy should exercise caution since they may face legal repercussions. They ought to behave honourably and responsibly. It is crucial to remember, however, that journalists are generally exempt from identifying their sources unless there is a threat to justice or the public interest. Media cases have the potential to have a detrimental effect on the public, lawyers, judges, and the administration of justice. They might negatively impact the rights to a fair trial, privacy, legal representation, and reputation. As a result, reporters must accept responsibility and adhere to moral standards when covering stories, and the detrimental effects of media trials cannot be justified.

However, Article 19(1)(a) of the Indian Constitution guarantees freedom of speech and expression, which includes freedom of the press. Democracy requires a free press, which must function within the acceptable parameters outlined in Article 19(2). The rights to privacy and a fair trial are violated when media trials surpass these bounds. Although freedom of speech and expression is a fundamental right, media trials must follow the law to protect people's rights to a fair trial, privacy, and reputation. Unchecked media coverage can have a big impact on the judicial system and individual rights, leading to injustices and civil rights breaches.

7. Media Trial's Impact on Individual Privacy

The phenomenon of media trials often leads to significant violations of individual privacy, especially in high-profile criminal cases. When media outlets take it upon themselves to investigate, analyse, and present individuals as guilty or innocent before a legal verdict, they frequently intrude into personal lives, revealing sensitive and private details without consent.

- **Invasion of Personal and Family Life:** Media trials tend to focus not only on the specifics of the case but also on the personal backgrounds, family dynamics, and even past behaviours of the individuals involved. This intrusive reporting can reveal private information about the accused, victims, and their families, leading to unnecessary public scrutiny and stigma. In the case of Aarushi Talwar, for example, the media delved into her personal life and her family's private affairs, casting suspicion on her parents without substantial evidence. This invasion of privacy extended to publishing speculative details about her family life, thereby affecting the dignity and mental well-being of the Talwars.
- **Violation of the Right to Privacy as a Fundamental Right:** The Right to Privacy was recognized as a fundamental right under Article 21 of the Indian Constitution in the landmark judgment *Justice K.S. Puttaswamy (Retd.) vs. Union of India* (2017). This judgment emphasized that privacy is integral to personal liberty and autonomy, and it applies to both public figures and private individuals. In high-profile cases, however, the media often disregards this right, leading to an erosion of personal boundaries. By broadcasting unverified details and speculating on personal motives, the media effectively undermines this constitutional right, treating privacy as secondary to public interest. In the *Sunanda Pushkar* case, the media's unrestrained coverage included speculative narratives about her marriage and health issues, all of which were shared with the public despite the lack of confirmed evidence. Such reporting disregarded the privacy rights of Pushkar's family, especially her husband, Shashi Tharoor, and subjected them to unwarranted public judgment based on conjecture.
- **Publicizing Sensitive Information Without Consent:** Another aspect of media trials that violates privacy rights is the disclosure of sensitive information without the consent of those involved. In the *Sushant Singh Rajput* case, for instance, the media repeatedly aired private details about Rajput's mental health, finances, and relationships. This coverage, largely based on leaked information and speculation, not only violated his privacy but also affected his family, who faced continuous media pressure and public intrusion into their lives during a period of grieving. The lack of consent in publishing such intimate details infringes upon the dignity and respect owed to individuals, both living and deceased, and their families.
- **Psychological Impact on Accused and Families:** The psychological toll of media trials extends beyond the accused, impacting families who find themselves unwillingly thrust into the public eye. This invasion of privacy can lead to mental distress, social stigma, and long-term reputational damage, often irrespective of the court's verdict. Families of individuals involved in such cases face intense public scrutiny and are sometimes ostracized due to the narrative constructed by the media. In the *Aryan Khan* drug case, for example, Shah Rukh Khan and his family were under intense public and media scrutiny, with Aryan's private life broadcasted and speculated upon widely. This ordeal inflicted immense emotional strain and stigmatized the family long before the case reached a legal conclusion.

- **Ethical and Legal Implications:** While the media has the right to report under the freedom of speech (Article 19 of the Indian Constitution), this right is not absolute and is subject to "reasonable restrictions" that protect other rights, such as privacy. The Indian judiciary, including the Supreme Court and various High Courts, has repeatedly stressed on the need for responsible journalism that respects individual privacy. For instance, the Calcutta High Court, in the school jobs scam case, instructed media outlets to avoid associating people with criminal investigations without charges and to ensure reporting is accurate and verified. Such directives underscore the judiciary's stance that media freedom must be exercised responsibly, without infringing upon individual privacy and dignity.

The violation of individual privacy in media trials necessitates the urgent need for ethical journalism and a balance between public interest and personal rights. When media coverage disregards privacy, it not only infringes upon constitutional protections but also causes irreparable harm to individuals and their families, affecting their mental health, reputation, and overall dignity. As demonstrated by high-profile cases like those of Aarushi Talwar, Sunanda Pushkar, Sushant Singh Rajput, and Aryan Khan, the media's failure to respect privacy boundaries leads to a public "trial" that may compromise judicial fairness and the principle of innocent until proven guilty. Strengthening self-regulatory frameworks, implementing proportional penalties, and establishing clearer privacy standards are essential steps toward responsible reporting. Upholding privacy rights in media practices will ensure that individual dignity is preserved, fostering a fairer, more respectful media landscape aligned with the democratic principles of justice and human rights.

7. Media Trial vs. Fair Trial

Press freedom and the right to a fair trial are two fundamental concepts that frequently conflict with the legal system. Given how important both of these concepts are to the broader public, striking a balance is difficult. The freedom of the press, which is generally accepted as an essential element of democracy, is typically invoked to support investigative journalism. This also enables the media to fulfil their role as watchdogs by educating the public about important topics. However, both the accused and the victim have a right to a fair trial, making it more than just a fundamental one. This privilege's existence guarantees that court procedures are unbiased and free from outside interference. Anyone who publishes anything that would impede a fair trial or jeopardize the impartiality of the legal system could face punishment from the courts, including journalists. This jurisdiction is granted by a variety of legislation, including the Contempt of Court Act of 1971 and constitutional clauses like Articles 129 and 215.

Every resident of Indian territory is entitled to a fair trial under Articles 14, 19, 20, 21, and 22 of the Indian Constitution. Because of the widespread media coverage, lawyers are frequently under pressure to turn down cases involving individuals who have already been found guilty by the public. Because it is becoming increasingly difficult to locate an advocate prepared to take on such cases, the accused may be forced to give up their right to legal representation. An important illustration of this is the case of well-known lawyer Ram Jethmalani, who represented Manu Sharma in the murder case of Jessica Lal. This trial, according to a well-known editor of a television news program, was a "defence of the indefensible," which means that he effectively assumed the accused's guilt before the court made its ruling. The accused person's rights to a fair trial and to knowledgeable legal counsel may be violated by these assumptions and conclusions drawn by the media.

- **Presumption of Innocence vs. Public Judgment:** A core principle of a fair trial is the presumption of innocence, where an accused person is considered innocent until proven guilty. Media trials, however, often sensationalize details and create public narratives around a suspect's guilt or innocence before the court reaches a verdict. High-profile cases frequently see the media portraying suspects as guilty, fostering public condemnation and prejudice. This public judgment can bias jurors, judges, and witnesses, who may feel external pressure to align with popular opinion. For instance, in the Aarushi Talwar case, the media's premature conclusions impacted public perception, and the Talwar family faced societal stigma long before a legal decision was made.
- **Sensationalism Over Facts:** Media trials often prioritize sensationalism over verified facts, choosing headlines and storylines that attract viewers rather than objectively reporting on cases. In doing so, the media may rely on speculation, unverified sources, or even rumours to shape the story. This sensational approach can present a distorted view of the facts to the public, leading to a preconceived notion of guilt or innocence. The Sunanda Pushkar death case is an example, where media speculation focused on alleged motives and personal issues, often with little evidence, creating a strong public opinion about her husband Shashi Tharoor's involvement.

- **Influence on Witnesses and Evidence:** Media trials can have a considerable impact on witnesses, whose testimonies are critical for a fair trial. Intense public attention on a case can make witnesses reluctant to testify, fearing public scrutiny, harassment, or media intrusion. In some cases, witnesses may alter their statements due to external pressure, impacting the integrity of evidence. Additionally, investigative agencies may feel compelled to expedite findings or make arrests to align with public sentiment, which can result in rushed and potentially flawed evidence. The Jessica Lal murder case saw substantial media involvement, which pressured witnesses and played a significant role in shaping the case's progression toward a retrial after public outrage over the initial acquittal.
- **Judicial Impartiality and External Pressure:** Judges, though bound by legal principles, are not entirely immune to the influence of public opinion when media trials shape narratives in a high-profile case. In a democratic society, public opinion should not interfere with judicial decision-making, but intense media scrutiny can make it challenging for the judiciary to remain entirely insulated. Judges may feel an implicit pressure to deliver verdicts that align with popular sentiment, particularly in cases receiving extensive media coverage, such as the Nirbhaya case. While media coverage in this case led to legal reforms and awareness, the intense public reaction risked overshadowing due process and impartiality.
- **Right to Privacy vs. Right to Information:** A fair trial also involves safeguarding the privacy and dignity of individuals involved in the case—both the accused and the victims. Media trials often disregard this right by publicizing private details, sharing unverified information, and sometimes sensationalizing sensitive aspects of a case to boost viewership. This privacy invasion not only affects the individuals but can also taint public opinion. The Rhea Chakraborty case, following the death of actor Sushant Singh Rajput, saw a media frenzy that extensively intruded into her personal life, character, and relationships, potentially impacting her right to a fair trial due to public bias against her.
- **Contempt of Court and Legal Boundaries:** Media trials sometimes border on contempt of court, as excessive reporting on sub judice matters (cases under judicial consideration) can prejudice judicial proceedings. According to India's Contempt of Courts Act, 1971, any publication that attempts to influence an ongoing case can be held in contempt, as it interferes with the administration of justice. The judiciary can issue guidelines to restrain media in these cases, as seen in the Calcutta High Court's 2023 directive in the school jobs-for-cash scam case, instructing media to verify information and refrain from sensationalism. However, the enforcement of contempt laws is challenging, especially in the era of digital and social media, where information spreads rapidly and can escape regulatory oversight.
- **Impact on Judicial Reforms and Ethical Standards:** In cases like the Nirbhaya case and Jessica Lal murder case, extensive media coverage has led to social awareness and even legal reforms, highlighting serious issues and catalysing change. However, while media-driven public awareness can contribute positively to the justice system, media trials often blur the line between constructive criticism and undue pressure. Judicial reforms driven by media coverage run the risk of prioritizing public opinion over legal procedure. Ethical standards for media coverage need to be upheld to ensure that media's role remains supportive of justice rather than obstructive.

The tension between media trials and fair trials presents a complex challenge that requires a balanced approach. While the media has the right to report and inform the public, it must exercise caution to prevent compromising the accused's right to a fair trial and the judiciary's independence. The judiciary in India has made strides toward defining ethical boundaries for media through contempt laws and case-specific guidelines, but with the rise of digital media, enforcing these standards has become more difficult. Ultimately, a fair trial is a cornerstone of justice, and media houses must prioritize responsible reporting, avoid speculative narratives, and respect the privacy of those involved to protect the integrity of judicial processes. For the public's right to information to coexist harmoniously with an individual's right to a fair trial, the media must uphold ethical standards that prevent interference with justice.

8. Landmark Cases Related to the Media Trials

An overview of significant cases where media coverage impacted the legal system, shaped public opinion, or resulted in historic rulings about the ethical bounds of the media is given to demonstrate how media trials effect court procedures.

- The main focus of the 1968 case was *In re P. C. Sen*: An All-India Radio program on November 25, 1965. This broadcast was accused of violating the court's order and being in contempt of court by revealing information about the accused. In this case, Justice Shah emphasized that any letter or action

intended to undermine the authority of the court, bring shame to a judge or the court, or impede legal proceedings would be considered contempt of court.

- The Indian Supreme Court took on the difficult task of establishing guidelines for print and electronic media coverage of sub judice matters, including the public release of court papers, in the 2012 case of *Sahara India Real Estate Corporation Ltd. v. Securities and Exchange Board of India*. The court further declared in its decision that it may postpone the publishing or publicizing of a trial as a preventative measure to ensure the fair and proper administration of justice. Under Article 19(2), which allows reasonable restrictions on free speech, these postponement orders satisfy the justification requirements as long as no other alternative measures—like a trial delay or venue change—are implemented. They also help the courts reconcile conflicting community interests in the right to know and the equitable administration of justice.
- In *Y. V. Hanumantha Rao v. K. R. Pattabhiram and Anr*, 1973, there were allegations that a curfew imposed in a district of Andhra Pradesh was arbitrary and devoid of a good basis. While the case was underway, the "Deccan Chronicles" offered information about the curfew, its background, and the ongoing court cases. The court decided that while the matter is still continuing, statements or publications about it that could influence the trial—for example, by influencing judges, witnesses, or the public—should be avoided. Even if the individual spreading the information believes it to be genuine, it could still be deemed contempt of court if it influences the case's outcome before the judiciary has issued a decision.
- *Sushir Sharma v. The State (Delhi Administration and Ors.)*, 1996: In this case, the accused's murder complaint against his spouse was not well-supported by the available evidence. However, the accused was being depicted by the media as a murderer while the case was still pending in court, which might have affected public opinion. The Delhi High Court ruled that a defendant should only be convicted based on the case's facts, not on statements made in the media. Furthermore, the evidence in the case file should be used to create charges against the offender rather than relying on how they are portrayed in the media.

These show that in order to uphold justice and ensure that persons receive a fair trial free from undue influence from outside sources, it is imperative that the media report properly throughout ongoing legal procedures. The purpose of India's contempt of court laws is to protect the integrity of the legal system and the rights of both the accused and the judicial system.

9. The 200th Report of the Law Commission

By amending the Contempt of Courts Act of 1971, the Seventeenth Law Commission's 200th report tackles the problem of "Trial by Media" and how it affects the harmony between free speech and a fair trial in criminal proceedings. This investigation was started by the law commission in reaction to widespread coverage of criminal cases and those suspected or convicted of crimes in print and electronic media.

According to the report, the widespread use of television and modifications to news reporting have had negative consequences for suspects, accused people, witnesses, judges, and the administration of justice as a whole. As mandated by the Indian legal system, it emphasizes the necessity of a fair trial procedure and the presumption of innocence for individuals who are suspected of committing crimes unless proven guilty in a court of law.

The Indian Constitution's Article 19(1)(a) protects the "freedom of speech and expression," yet Article 19(2) permits "reasonable restrictions," such as those pertaining to "contempt of court." Although the "administration of justice" is not specifically mentioned in Article 19(2), the Law Commission points out that the Contempt of Courts Act, 1971, defines "criminal contempt" and "contempt" in a way that addresses interferences with the administration of justice. In order to avoid such interference, this permits "reasonable restrictions" on the freedom of speech and expression.

According to the study, the House of Lords and the Supreme Court of India have recognized that judges may be unconsciously swayed by negative writings about a suspect or accused person. This impact can happen during the trial or at other points, such as bail hearings. Prior to the 1971 Contempt of Courts Act, "common law" norms were in place, which defined contempt as any derogatory remarks made before someone was arrested. Publications produced following the filing of a First Information Report were also seen by some courts as "criminal contempt." Nonetheless, the Supreme Court made it clear that disparaging remarks made following an arrest could be regarded as contempt in the case of

A. K. Gopalan v. Noordeen. The rights of suspects, the accused, and the media to publish were all fairly balanced in this ruling. The research emphasizes that even after an arrest, publications may still be deemed discriminatory, particularly if they make reference to confessions, prior convictions, reputation, or undermine the credibility of witnesses.

10. Recent Guidelines and Observations Regarding Judicial Interventions in Media Trials

The boundaries between reporting and adjudication are frequently blurred in media trials, which may result in violations of the rights to privacy, a fair trial, and judicial impartiality. The Indian judiciary is becoming increasingly concerned about how media trials can affect judicial results and public perception, as evidenced by recent rulings. The Supreme Court of India's observations on successful media self-regulation and the recent Calcutta High Court directions on the reportage of school jobs scams are two important instances.

- **Media Reporting Guidelines of the Calcutta High Court:** The Calcutta High Court released extensive recommendations in the Rujira Banerjee vs. State of West Bengal case (2023) to address concerns regarding media coverage of the school jobs-for-cash fraud, in which prominent Trinamool Congress (TMC) leader Abhishek Banerjee is a major accused. In response to a request from Rujira Banerjee, Banerjee's wife, Justice Sabyasachi Bhattacharyya stressed that media outlets should not publish unconfirmed material or link people to criminal investigations before charges are brought. Among the specific instructions were:
 - **Verified and Objective Reporting:** The media must make sure that its stories are factual, impartial, and backed up by solid evidence. Preventing speculative or biased coverage that could sway public opinion and undermine judicial fairness is the goal of this obligation.
 - **Separation of Opinion and News:** The Court mandated that media organizations keep opinionated information apart from fact-based news. To prevent presenting subjective viewpoints as factual reporting, news sections and opinion pieces need to be clearly separated. This distinction tries to stop media narratives that can incite bias against those who are being investigated.
 - **Non-disclosure of Images and Video Content:** The court forbade the media from releasing images of people connected to criminal investigations prior to the filing of a chargesheet in order to preserve people's privacy. Furthermore, live broadcasts of investigative agencies' search, seizure, or raid operations were prohibited, highlighting the potential for unjust stigmatization of people by early media involvement in investigations.

Additionally, the Enforcement Directorate (ED) received specific instructions from the Calcutta High Court warning against disclosing probe details to the media. This prohibition highlights the judiciary's understanding of the right to a fair trial in media-rich environments by preventing law enforcement from exploiting media coverage to influence public opinion.

- **India's Supreme Court on Efficient Media Self-Regulation:** The Supreme Court of India also addressed the necessity for strict media control in August 2023 when the News Broadcasting and Digital Standards Authority (NBDSA) brought up concerns about insufficient sanctions for media infractions. The Court noted that the existing Rs 1 lakh penalty under the NBDSA for violations including biased or unsubstantiated reporting was insufficient and recommended that fines be commensurate with the profits made from the disputed content. This position reflects the Court's understanding that in high-profile cases, when media revenue frequently jumps, small sanctions are ineffective at discouraging sensationalist reporting.

The tumultuous media coverage of the Sushant Singh Rajput case was also cited by the Supreme Court as an instance of excess. The efficiency of media self-regulation must be guaranteed, Chief Justice D.Y. Chandrachud stressed, even though pre- or post-censorship of the media is undesirable. He emphasized that the emergence of sensationalist reporting has rendered the self-regulatory mechanism, which was first put in place to protect press freedom, inadequate. In order to improve enforcement without sacrificing journalistic freedom, the Court suggested strengthening the self-regulatory process using suggestions from well-known past judges.

The Union Home Ministry was given a three-month deadline by the Supreme Court of India on September 14, 2023, to develop guidelines for police briefings on ongoing investigations. The Supreme

Court's worries about "media trials" and their potential to incite prejudice against victims, the accused, and their families are highlighted by this directive, which was issued in response to petitions submitted by the People's Union for Civil Liberties (PUCL) and others.

In order to defend their acts, PUCL first filed a petition pointing to instances in Andhra Pradesh when police were accused of conducting "fake encounters," accusing people of being Maoists and spreading this story through the media. According to the group, these reporting practices seriously harmed the impacted parties and jeopardized the objectivity of the investigations. Senior counsel Gopal Sankaranarayana was named as an amicus curia by the Supreme Court to help review the applications. Chief Justice D.Y. Chandrachud stressed that although Article 19(1)(a) of the Indian Constitution grants the media the right to free speech, this freedom must be weighed against the public's right to objective, fact-based information. In keeping with the presumption of innocence until proven guilty, he emphasized that suspected people should get a fair and unbiased police inquiry and warned against sensationalist reporting that goes against this rule.

The Court pointed out that prejudiced pre-trial reporting could expose publications or media outlets to contempt penalties under the Contempt of Courts Act. The verdict emphasized that the nature of the crime, the roles played by individuals involved, and the age and gender of the accused and victims should all be taken into account when deciding what constitutes suitable media disclosures. It also called for a unified strategy on media briefings. This strategy seeks to prevent hasty public judgments and guarantee that media coverage does not slant court proceedings prior to a formal ruling.

- **Madras High Court on Ethical Boundaries and Media Sensationalism:** The Madras High Court underlined in June 2023 how crucial it is to inform media organizations on the constitutional boundaries of free speech, particularly with regard to sensationalism and court reporting. The Court noted that media organizations frequently inadvertently mislead the public by covering legal issues without having adequate legal expertise, which leads to skewed or false representations. The Court emphasized that impartial reporting and avoiding sensationalist storylines are essential to maintaining public trust in the judiciary, even as it acknowledged the media's democratic role under Article 19(1)(a) of the Indian Constitution.
- **Supreme Court on Proportional Penalties for Media Violations:** In August 2023, a Supreme Court bench led by Chief Justice D.Y. Chandrachud highlighted the inadequacies of the News Broadcasting and Digital Standards Authority (NBDSA) penalty structure, noting that the current fine of Rs 1 lakh is insufficient to deter violations. The Chief Justice pointed out that the penalty, established in 2008, no longer reflects the scale of media profits, especially from sensational coverage of high-profile cases. Using the Sushant Singh Rajput case as an example, Chief Justice Chandrachud observed that some media channels "went berserk" and pre-empted criminal investigations, undermining the presumption of innocence and impacting public perception before any legal conclusions were reached.

Chief Justice Chandrachud argued that fines should be proportional to the profits generated from violating programming, stating, "Your fine must be of proportion to profits you make from that show. We don't want to impose a pre-censorship or post-censorship on media...but the self-regulatory mechanism has to be effective." This remark emphasizes the Court's preference for a robust self-regulation system rather than direct governmental control over media content.

The bench, which also included Justices J.B. Pardiwala and Manoj Misra, noted that unless rules governing self-regulation are made stringent, TV channels may lack adequate incentives to comply with ethical standards. Solicitor General Tushar Mehta, representing the Centre, also supported this view, suggesting a three-tiered self-regulatory system that includes additional associations representing other media channels. The Court directed Arvind Datar, representing the News Broadcasters Association, to gather suggestions from former Supreme Court Justices A.K. Sikri and R.V. Raveendran on ways to strengthen self-regulation. This approach reflects the Court's commitment to preserving media freedom while ensuring ethical standards that protect the public's right to fair and factual reporting.

The Supreme Court's stance on proportional penalties and strengthened self-regulation reflects a judicial acknowledgment of the harmful effects of unregulated media coverage in high-stakes legal cases. This directive is intended to address the inadequacies in the current self-regulatory system, making it more effective without imposing pre-censorship. Through this intervention, the Court seeks to ensure that media freedom is preserved but responsibly exercised, minimizing the risks of sensationalism and bias that compromise judicial fairness.

The forthcoming guidelines from the Supreme Court aim to create a balanced framework where media channels are held accountable while respecting freedom of the press. By aligning penalties with the financial incentives of programming, the judiciary's intervention strives to curb sensationalist practices and foster a culture of responsible journalism. These court rulings highlight the vital necessity of ethical media reporting, particularly in instances with significant stakes. It is evident that a strong regulatory framework is necessary to preserve the equilibrium between freedom of speech and the impartiality of the Indian legal system, as the judiciary continues to establish guidelines for media behavior.

11. Conclusion

The effect of media trials on the Indian legal system is a major worry since the media's power to sway public opinion can create hostile and biased conditions, endangering the Indian Constitution's guarantee of a fair trial. A number of human rights, such as the rights to privacy, dignity, and reputation, could be violated by media trials. In addition to influencing public opinion and putting undue pressure on the judiciary, the sensationalism and biased reporting that are frequently connected to these trials can foster a hostile environment for the accused. Extensive media coverage can also intimidate witnesses, which can impair their ability to provide truthful testimony and eventually impede the values of justice and fairness.

The need for responsible journalism that places a high value on objectivity, fact-checking, and avoiding sensationalism is highlighted by the ethical issues surrounding media trials, which include partiality, breach of privacy, and disinformation. Even while rules and laws have been put in place to lessen these problems, the continued use of media trials in well-known instances shows how important it is that these laws be applied and enforced properly. Media companies need to own up to their mistakes and prioritize truthfulness, equity, and openness over sensationalism. Building public trust and ensuring that the media serves the public interest require such ethical behaviours.

The judiciary's proactive approach to striking a balance between media freedom and the integrity of the legal system is demonstrated by recent judicial interventions, such as the Supreme Court's order for police-media briefing guidelines and the Calcutta High Court's ban on speculative reporting. To guarantee that these standards are maintained uniformly across all media channels, a more robust regulatory structure is essential.

Media literacy and critical thinking, along with a dedication to ethical journalism, are essential for the future of media trials in India. It will take constant cooperation between media outlets, oversight agencies, and the legal system to strike a balance between press freedom and the right to a fair trial. India can develop a fairer method of reporting criminal cases that benefits its media environment and legal system by tackling ethical issues, implementing stronger laws, and encouraging media accountability. In order to safeguard individual rights, preserve public confidence in the legal system, and guarantee that the media carries out its democratic mandate without undermining the integrity of justice, a balanced approach is necessary.

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