



INFLUENCE OF MEDIA TRIAL ON CRIMINAL JUSTICE SYSTEM IN INDIA

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INTRODUCTION

In democratic societies, the media serves as the 'fourth pillar', ensuring transparency, exposing injustice, and holding institutions accountable. Media trial means when news channels, social media discuss and judge a case in such a way that they make people believe someone is guilty or innocent before the court has given its decision. In the pursuit of being the first to report, factual accuracy can often be overlooked, undermining the media's responsibility to inform, reflect, and deliver the unfiltered truth.

In India, the concept of media trial gained popularity after 24-hour news stations appeared in the early 2000s. High-profile cases like the Jessica Lal murder case, the Aarushi Talwar case, and the Sushant Singh Rajput death case contributed to its rise in popularity. The accused were sometimes judged guilty before the court's ruling, and these cases were widely reported by the media.

MEANING OF MEDIA TRIAL

The term "media trial" describes circumstances in which media outlets try to influence public opinion regarding an accused person's guilt prior to a court decision by providing in-depth coverage and analysis. In India, the phenomenon has frequently taken the form of sensationalist discussions and investigative reporting that produce a "parallel courtroom," even though it gained international recognition in the 20th century, particularly following high-profile instances like the Fatty Arbuckle incident in 1921. The Supreme Court warned that justice must be administered strictly in accordance with established legal procedure and not through outside pressures like the press or public agitation in the case of *State of Maharashtra v. Rajendra Jawanmal Gandhi*.¹

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¹ *State of Maharashtra v. Rajendra Jawanmal Gandhi*, AIR 1997

ROLE OF MEDIA IN CRIMINAL JUSTICE

The media plays an essential role in informing the public about legal developments, highlighting flaws in investigations or legal proceedings, and promoting accountability by bringing sensitive issues to light. When done ethically, such coverage enhances transparency and strengthens public trust in the system. In a similar vein, the Delhi High Court noted in *R.K. Anand v. Registrar* that, regardless of the results of a court case, aggressive media coverage could permanently damage a person's reputation by fostering a sense of guilt. These decisions demonstrate that although the media is an essential democratic institution, the rule of law and the right to a fair trial are threatened by its development into a "public court."

THE PHENOMENON OF MEDIA TRIAL

When the assumption of guilt replaces the presumption of innocence in public discourse, a media trial takes place. Journalists serve as judges, prosecutors, and investigators all at once. Before a court decision, the accused is portrayed as guilty by constant, sensationalised reporting. This tendency frequently shows up in situations involving public personalities, politicians, or horrible crimes that elicit strong emotional responses.

CONSTITUTIONALITY OF MEDIA TRIAL

The freedom of speech and expression guaranteed by Article 19(1)(a) of the Constitution gives media operations in India constitutional legitimacy. Press freedom is included in this Article, as judicial interpretation has always acknowledged. The Supreme Court confirmed that the press is a vital tool of democracy in *Romesh Thappar v. State of Madras*.² Similar to this, the Court stressed that a free press acts as a check on institutional and governmental abuses in *Brij Bhushan v. State of Delhi* and *Express Newspapers (P) Ltd. v. Union of India*.³ This freedom is not unrestricted, though. According to Article 19(2), it is subject to legitimate limitations, such as upholding public order and guaranteeing the impartial administration of the law of justice.

In situations where pre-trial media publicity disadvantages the accused, the conflict between press freedom and the right to a fair trial (guaranteed by Article 21) has been apparent. In *Anil Kumar v. M/S I Sky B & Ors.*, the Supreme Court ruled that when rights to a fair trial clash

² *Romesh Thappar v. State of Madras*, 1950 AIR 124

³ *Brij Bhushan v. State of Delhi and Express Newspapers (P) Ltd. V. Union of India*, 1950 AIR 129

with unrestricted press coverage, the former must take precedence. Similarly, courts have the authority to suppress reporting that impedes legal procedures under the 1971 Contempt of Courts Act. In *Sahara India Real Estate Corp. Ltd. v. SEBI*,⁴ the Court acknowledged "postponement orders" as a means of limiting adverse reportage in subjudice cases, further elucidating this balancing. Although the media is protected by the Constitution, these cases show that media trials that jeopardise impartial justice can amount to contempt and violate fundamental rights.

LEGAL REMEDIES FOR THE VICTIMS OF MEDIA TRIAL

Injunction proceedings to stop defamatory publications, delay orders from courts to limit biased reporting, and complaints to the Press Council of India for ethical transgressions are only a few of the legal options available to victims of media trials. To protect their right to privacy and a fair trial, they can also file writ petitions, file civil cases for damages, or start defamation suits under Sections 499 and 500 of the IPC. Together, these solutions seek to strike a compromise between individual rights protection and media freedom.

IMPACT ON THE CRIMINAL JUSTICE SYSTEM AND EFFECT ON INDIVIDUALS

The fundamental right to a fair trial, protected by Article 21 of the Constitution, is frequently undermined by media trials. By establishing a trial by public opinion, they have the potential to manipulate police investigations, bias judges, and overturn the presumption of innocence. Furthermore, by interfering with legal proceedings, strong media scrutiny may violate the Contempt of Courts Act, 1971. Individuals may experience mental discomfort, unemployment, privacy violations, and harm to their reputation as a result of such trials. The Kathua case and the Sushant Singh Rajput case, for example, show how victims and accused can suffer from excessive media intrusion.

JUDICIAL RESPONSE TO MEDIA TRIAL

The danger of media trials has been recognised by Indian courts on numerous occasions. The Supreme Court acknowledged postponement orders in *Sahara India Real Estate Corp. Ltd. v. SEBI* (2012).⁵ The Delhi High Court emphasised in *R.K. Anand v. Registrar* (2009) that sensational reporting and sting operations shouldn't obstruct the administration of justice. The

⁴ *Sahara India Real Estate Corp. Ltd. v. SEBI*, AIR 2012 3829

⁵ *Sahara India Real Estate Corp. Ltd. v. SEBI*, AIR 2012 3829

judiciary is still focused on striking a balance between the right to a fair trial guaranteed by the Constitution and freedom of the press.

BALANCING FREEDOM OF THE PRESS AND FAIR TRIAL

Stronger regulatory measures to punish willful misreporting, public knowledge to critically assess media narratives, legal protections like gag orders, and responsible journalism are all necessary to ensure a balance between press freedom and judicial integrity. Such actions support the preservation of justice and transparency.

CONCLUSION

With the rise of media trials, the Indian criminal justice system faces serious obstacles that jeopardise its fairness and impartiality. Although the media improves accountability and serves as a watchdog, its unchecked influence frequently taints court proceedings. The perils of media trials are exemplified by well-known examples like those involving Jessica Lal, Nirbhaya, and Sushant Singh Rajput. A balanced strategy that upholds the rights to a fair trial and freedom of speech is necessary to uphold both Article 19(1)(a) and Article 21. To ensure that justice is neither thwarted nor denied, remedies, including writs, postponement orders, defamation lawsuits, and regulatory interventions, offer channels for accountability.

REFERENCES

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