

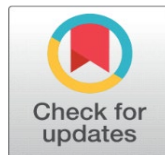
THE ROLE OF MEDIA INFLUENCE ON THE JUDICIAL PROCESS IN INDIA: AN ANALYSIS

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ABSTRACT

In the bustling streets of Delhi, amidst the cacophony of vendors hawking their wares and the incessant honking of cars weaving through congested lanes, lies a cornerstone of India's democracy in the courtroom. Within its solemn confines, the wheels of justice turn relentlessly, unfolding stories of triumph, tragedy, and the pursuit of truth. Here, amidst the hushed whispers of legal arguments and the weighty pronouncements of judges, unfolds a tale as old as time as a clash of rights, a struggle for justice, and the delicate balance between law and morality. Yet, amidst this age-old drama, another character stealthily emerges, its presence weaving seamlessly into the fabric of the narrative of the media. Like an unseen hand guiding the plot from the shadows, media influence in the Indian judicial process has evolved into a formidable force, akin to a secondary protagonist in this theatrical production of justice. With its omnipresent gaze and insatiable appetite for stories, the media casts its spotlight on courtroom dramas, transforming legal proceedings into riveting spectacles that captivate the nation's attention.

Keywords: Judicial Process, Media Influence, Legal Arguments

1. INTRODUCTION

In the bustling streets of Delhi, amidst the cacophony of vendors hawking their wares and the incessant honking of cars weaving through congested lanes, lies a cornerstone of India's democracy in the courtroom. Within its solemn confines, the wheels of justice turn relentlessly, unfolding stories of triumph, tragedy, and the pursuit of truth. Here, amidst the hushed whispers of legal arguments and the weighty pronouncements of judges, unfolds a tale as old as time as a clash of rights,

a struggle for justice, and the delicate balance between law and morality. Yet, amidst this age-old drama, another character stealthily emerges, its presence weaving seamlessly into the fabric of the narrative of the media. Like an unseen hand guiding the plot from the shadows, media influence in the Indian judicial process has evolved into a formidable force, akin to a secondary protagonist in this theatrical production of justice. With its omnipresent gaze and insatiable appetite for stories, the media casts its spotlight on courtroom dramas, transforming legal proceedings into riveting spectacles that captivate the nation's attention.

The high-profile case of Rhea Chakraborty, an actress thrust into the spotlight not for her performances on screen, but for her entanglement in a web of allegations and accusations. As the legal saga unfolded, every twist and turn of Chakraborty's trial became fodder for prime-time news debates and sensational headlines, blurring the lines between truth and speculation, fact and fiction. In the court of public opinion, she was tried and convicted long before the judge rendered a verdict. A stark illustration of the power wielded by the media in shaping perceptions and influencing outcomes in the judicial arena. Indeed, the case of Rhea Chakraborty serves as but one example of the pervasive influence of the media in the Indian judicial process. A phenomenon that transcends individual cases to encompass broader questions of transparency, accountability, and the very foundations of democracy.

The pervasive media influence in the Indian judicial process, exemplified by the Rhea Chakraborty case, threatens the presumption of innocence and necessitates reforms to ensure a fair and impartial system of justice. While media scrutiny can promote transparency and public awareness in the Indian judicial system, its sensationalized coverage can also create a climate of prejudice and undermine the fair trial process.

2. METHODOLOGY

2.1. OBJECTIVE OF THE STUDY

- To analyze the media influence in the Indian judicial process, exemplified by the Rhea Chakraborty case
- To trace the historical evolution of media in India and Indian judicial system, its sensationalized coverage
- To analyze the Freedom of Press and Statutory regulations relating to media in India.
- To discuss the media transparency, accountability, and the very foundations of democracy.

2.2. HYPOTHESIS

The Statutory framework relating to media has to be strengthened to make media a responsible pillar of the fourth democracy in India.

2.3. RESEARCH METHODOLOGY AND SOURCES OF DATA

The doctrinal method of legal research is adopted in this study. The Secondary Sources such as books, journals, and online materials were referred. To Study the Legal framework relating to media the respective bare acts and Constitution of India were referred.

2.4. REVIEW OF LITERATURE

- 1) Law of Freedom of Press and Media in India – Contemporary Issues, Dr. Gopal Sharma, Dattsons Publishers, First Edition (2018)
- 2) In a democracy, the Government cannot function unless the people are well-informed and free to participate in public issues by having the widest choice of alternative solutions to the problems that arise.
- 3) Media Law in India - Freedom, Evolution and Contemporary Issues, Dr Sohini Mahapatra, Lexis Nexis Publication (2023)

3. MEDIA IMPACT ON PUBLIC VIEWS OF LEGAL PROCEEDINGS

The media's significant influence on public perception of legal proceedings in India is evident in its ability to frame narratives, highlight specific aspects of cases, and mold opinions that can impact the course of justice. For instance, the landmark case of *Manu Sharma v. State (NCT of Delhi)*, commonly known as the Jessica Lal murder case, and the media coverage surrounding this case, particularly the sensationalized portrayal of the events leading up to the murder and the subsequent trial, sparked widespread outrage and public scrutiny. The relentless media pressure ultimately led to a retrial and the eventual conviction of the accused, highlighting the potent role of the media in shaping the trajectory of legal proceedings. However, alongside its potential to inform and educate, media coverage of legal proceedings often veers into the realm of sensationalism, where sensationalized reporting takes precedence over factual accuracy. This phenomenon, fuelled by the competitive nature of the media industry and the quest for higher ratings and circulation, can have detrimental effects on the judicial process.

Sensationalized reporting not only erodes public trust in the judiciary and distorts facts but also perpetuates harmful stereotypes and undermines the principles of fairness and due process. In Indian jurisprudence, the Supreme Court has time and again emphasized the importance of responsible media coverage in upholding the principles of justice and fair trial rights. *Sahara India Real Estate Corporation Ltd. v. SEBI and Ors.* The Court held that media reporting must be fair, accurate, and balanced, highlighting the potential for media sensationalism to prejudice the administration of justice.

Media influence on public perceptions of legal proceedings in India is a complex and multifaceted phenomenon with far-reaching implications for the administration of justice. While media coverage has the potential to inform, educate, and foster public engagement with the legal system, it also poses significant challenges in terms of sensationalism, distortion of facts, and erosion of due process rights. As such, it is imperative for media outlets to uphold ethical standards of reporting, adhere to the principles of fairness and accuracy, and recognize their role as guardians of truth and justice in the public sphere. Only through responsible and ethical reporting can the media fulfill its role as a constructive force in shaping public understanding of the law and promoting the values of democracy and justice.

3.1. THE NIRBHAYA CASE

The Nirbhaya case stands as a watershed moment in Indian legal history, a harrowing tale that shook the nation's conscience and sparked widespread outrage. The brutal gang rape and murder of a young woman on a Delhi bus in December

2012 captured the attention of the media, igniting a firestorm of public condemnation and demands for justice. As the case unfolded in the courtroom, media coverage reached a fever pitch, with round-the-clock reporting, sensational headlines, and intense scrutiny of every legal maneuver. While the media played a crucial role in amplifying the voices of the victim's family and galvanizing public support for harsher penalties for sexual offenders, its intervention also raised significant concerns about the erosion of fair trial rights and due process. The relentless media scrutiny placed immense pressure on the judiciary to expedite proceedings, potentially compromising the accused's right to a fair trial. Moreover, sensationalized reporting risked prejudicing the case and undermining the principle of innocence until proven guilty. From a legal perspective, the Nirbhaya case underscores the delicate balance between freedom of the press and the administration of justice, highlighting the need for responsible and ethical media coverage that upholds the principles of fairness, impartiality, and respect for the rule of law.

3.2. ETHICAL DILEMMAS IN MEDIA INTERVENTION

Media intervention in legal proceedings gives rise to a myriad of ethical dilemmas, posing challenges that test the delicate balance between freedom of expression and the right to a fair trial. One such dilemma revolves around privacy concerns in media coverage of legal proceedings. While the media has a legitimate interest in reporting on matters of public interest, including court cases, its intrusion into the private lives of individuals involved in legal disputes can often cross ethical boundaries. In the landmark case of *Rajagopal v. State of Tamil Nadu*, the Supreme Court of India affirmed the intrinsic right to privacy enshrined within the Constitution, stressing the imperative for media entities to exhibit caution and discretion when covering issues of personal or sensitive nature. Similarly, defamation and the presumption of innocence present ethical quandaries for the media, as sensationalized reporting and the rush to judgment can tarnish reputations and prejudice the outcome of legal proceedings.

In the case of *R. Rajagopal v. Jayalalitha*, the Supreme Court reaffirmed the importance of upholding the presumption of innocence until proven guilty, warning against the media's tendency to pronounce guilt before the conclusion of a fair trial. Moreover, the challenges of maintaining impartiality in a sensationalized media landscape further complicate matters, as media outlets vie for viewership and circulation by sensationalizing stories and catering to popular sentiment. In the *Sahara India Real Estate Corporation Ltd. v. SEBI and Ors* case, the Supreme Court emphasized the paramount importance of fair, accurate, and balanced media reporting, cautioning against the pitfalls of sensationalism and factual distortion in legal journalism. As media outlets navigate these ethical quandaries, they must remain mindful of their crucial role as purveyors of truth and guardians of justice in the public sphere. Upholding principles of fairness, impartiality, and respect for the rule of law through responsible and ethical reporting is essential for preserving the integrity of the judicial process and safeguarding the rights of all individuals involved.

3.3. BALANCING TRANSPARENCY AND ACCOUNTABILITY

In the complex interplay between media and the judicial process, the principles of transparency and accountability emerge as paramount considerations, essential for maintaining public trust and upholding the integrity of the legal system.

Enhancing transparency in media coverage of legal proceedings requires a concerted effort to ensure accuracy, impartiality, and factual integrity in reporting. The Supreme Court of India, in the case of *Indian Express Newspapers (Bombay) Pvt. Ltd. v. Union of India*, recognized the importance of a free and responsible press in fostering transparency and accountability in governance, emphasizing the media's role as a watchdog that holds public institutions and officials accountable to the people. To this end, media outlets must adopt ethical reporting standards that prioritize accuracy, fairness, and balance in legal journalism.

The Press Council of India, in its guidelines on media ethics, emphasizes the need for journalists to verify facts, provide context, and refrain from sensationalizing stories that could prejudice legal proceedings. Media literacy initiatives are essential for promoting democratic values, ensuring the responsible exercise of freedom of speech and expression, and fostering a more informed and discerning public discourse. The Supreme Court, in *PUCL v. Union of India*, emphasized the importance of media literacy in this context. By promoting media literacy through education and awareness campaigns, citizens can develop the skills and knowledge necessary to critically evaluate the information they consume, question authority, and hold the media accountable for its actions. In essence, balancing transparency and accountability in media coverage of legal proceedings requires a collaborative effort between media organizations, regulatory bodies, and civil society to uphold the principles of truth, fairness, and justice in the public sphere. Only through a commitment to ethical reporting standards, media literacy, and a culture of transparency can the media fulfil its role as a responsible and accountable steward of democracy and the rule of law.

4. MEDIA BIAS AND ITS IMPACT ON LEGAL PROCEEDINGS

Media bias refers to the tendency of media outlets to present news and information in a way that reflects their own subjective viewpoints or preferences, often resulting in the distortion of facts or selective reporting. This bias can manifest in various forms, including political bias, ideological bias, sensationalism, and commercial interests. In the context of legal proceedings, media bias can have significant implications for the administration of justice, influencing public opinion, shaping the narrative of a case, and potentially prejudicing the outcome.

Political bias in media coverage of legal proceedings can arise when media outlets align themselves with specific political ideologies or parties, leading to biased reporting that favors one side of a legal dispute over the other. This bias can undermine the fairness and impartiality of the judicial process by swaying public perception and influencing the discourse surrounding a case. An example of political bias in media coverage is evident in the reporting of the Babri Masjid demolition case, where certain media outlets were accused of favoring particular political parties and presenting a biased narrative of the events leading up to the demolition.

Ideological bias, on the other hand, stems from the ideological leanings of media organizations or individual journalists, leading to reporting that reflects a particular worldview or agenda. This bias can manifest in the framing of legal issues, the selection of sources, and the emphasis placed on certain aspects of a case while downplaying others. In the high-profile criminal cases, such as the Salman Khan hit-and-run case, ideological bias in media coverage may lead to sensationalized reporting that portrays the accused in a negative light or seeks to influence public opinion before the conclusion of legal proceedings.

Sensationalism is another form of media bias that prioritizes dramatic narratives and attention-grabbing headlines over factual accuracy and balanced reporting. This inclination to sensationalize legal proceedings has the potential to skew the factual representation of a case, sensationalize the private lives of the parties involved, and lead to the unjust vilification of individuals prior to their formal conviction in a court of law. An example of sensationalism in media coverage is evident in the reporting of celebrity trials, where media outlets often prioritize sensational headlines and salacious details over objective reporting of the facts. Commercial interests also play a significant role in shaping media bias, as media outlets may prioritize stories that attract higher viewership or advertising revenue, even if it means sacrificing journalistic integrity or impartiality. This profit-driven approach to news reporting can lead to biased coverage of legal proceedings, where the pursuit of ratings and circulation takes precedence over the principles of fairness and accuracy. An example of commercial bias in media coverage is evident in the reporting of corporate litigation cases, where media outlets with financial ties to certain corporations may present a biased or one-sided view of the legal dispute.

Media bias poses significant challenges to the administration of justice in India, influencing public perception, shaping the narrative of legal proceedings, and potentially prejudicing the outcome of cases. Addressing media bias requires a concerted effort to promote transparency, accountability, and ethical reporting standards within the media industry. By fostering a culture of fairness, impartiality, and respect for the rule of law in media coverage of legal proceedings, that can uphold the integrity of the judicial process and safeguard the rights of all individuals involved.

5. IMPACT OF MEDIA TRIALS ON THE RIGHT TO A FAIR TRIAL

Extensive media coverage and sensationalized reporting of legal proceedings have the potential to significantly impact the right to a fair trial, a fundamental principle enshrined in Article 21 of the Indian Constitution. Media trials, characterized by biased or prejudicial reporting, can create an environment where defendants are tried and convicted in the court of public opinion before their case reaches the courtroom. The implications of such media trials on defendants' ability to receive fair and impartial trials, as well as the role of the judiciary in mitigating these effects and upholding the principles of justice.

The challenges posed by media trials and the judiciary's response to them. In the case of *Manu Sharma v. State (NCT of Delhi)*, commonly known as the Jessica Lal murder case, extensive media coverage and public outrage exerted immense pressure on the judiciary, leading to concerns about the fairness of the trial. Similarly, in *Kishore Samrite v. State of Madhya Pradesh*, the Supreme Court expressed concern over the prejudicial effects of media coverage on the right to a fair trial, emphasizing the need for courts to remain vigilant against external influences that could compromise the integrity of legal proceedings.

The judiciary plays a crucial role in mitigating the effects of media trials and ensuring that defendants receive fair trials despite media scrutiny. Courts have the authority to impose restrictions on media reporting, such as gag orders or reporting restrictions, to prevent prejudicial information from influencing the trial process. Additionally, judges have the discretion to sequester juries or change the venue of trials to minimize the impact of media coverage on jurors' impartiality. In landmark cases such as *Sahara India Real Estate Corporation Ltd. v. SEBI and Ors*, the Supreme Court underscored the importance of fair and balanced media reporting in

preserving the right to a fair trial and cautioned against the dangers of sensationalism and distortion of facts in legal reporting.

The challenges posed by media trials while upholding the principles of freedom of the press and the right to a fair trial, potential reforms or legal mechanisms can be considered. These may include stricter regulations on media coverage of ongoing legal proceedings, enhanced training for journalists on ethical reporting standards, and greater judicial oversight of media reporting. By striking a balance between the right to a fair trial and the freedom of the press, India can ensure that defendants receive fair and impartial trials free from undue influence or prejudice.

6. SOCIAL MEDIA AND ITS ROLE IN LEGAL DISCOURSE

Social media has revolutionized the way information is disseminated, conversations are conducted, and opinions are formed, including within the realm of legal discourse. Its pervasive influence has reshaped the landscape of public engagement with legal issues, presenting both opportunities and challenges for the administration of justice in India. One of the key roles of social media in legal discourse is its ability to democratize access to legal information and facilitate public participation in legal debates. Platforms such as Twitter, Facebook, and Instagram serve as virtual forums where individuals can discuss legal matters, share news articles, and express their opinions on ongoing legal proceedings. This democratization of legal discourse has the potential to enhance transparency, foster public awareness, and promote accountability within the legal system.

However, social media's impact on legal discourse is not without its drawbacks. One of the primary concerns is the spread of misinformation and fake news, which can distort public understanding of legal issues and undermine the integrity of the judicial process. In the absence of fact-checking mechanisms and editorial oversight, false or misleading information can proliferate rapidly on social media platforms, leading to the dissemination of rumors, conspiracy theories, and unsubstantiated allegations.

Moreover, social media can also facilitate the spread of hate speech, harassment, and online vigilantism, posing significant challenges to the fair administration of justice in Cases such as the Palghar lynching incident, where false rumors circulated on social media platforms led to the lynching of innocent individuals, highlight the potential dangers of unchecked online discourse in inflaming tensions and inciting violence.

From a legal perspective, the rise of social media has also raised important questions about privacy, defamation, and the limits of free speech. Indian courts have grappled with cases involving online defamation, cyberbullying, and the regulation of social media content, seeking to strike a balance between protecting individual rights and upholding freedom of expression. In the case of *Shreya Singhal v. Union of India*, the Supreme Court struck down Section 66A of the Information Technology Act, which had been used to curb online speech, affirming the importance of free speech rights in the digital age.

Furthermore, social media's role in shaping public opinion and influencing legal proceedings has prompted calls for greater regulation and oversight of online discourse. Indian lawmakers have proposed various measures to regulate social media platforms, including the introduction of intermediary liability rules and guidelines for content moderation. However, striking the right balance between regulating harmful content and protecting free speech remains a contentious issue, with concerns about censorship and government overreach.

Social media plays a significant role in shaping legal discourse in India, offering opportunities for greater transparency, public participation, and accountability within the legal system. However, its impact is not without its challenges, including the spread of misinformation, online harassment, and threats to privacy and free speech. As social media continues to evolve, it is essential for policymakers, legal professionals, and civil society to work together to harness its potential for positive change while mitigating its negative consequences on the administration of justice.

7. INTERNATIONAL PERSPECTIVES ON MEDIA AND THE JUDICIARY

International perspectives on the relationship between media and the judiciary provides valuable insights into the challenges, best practices, and policy solutions relevant to India's legal system. One key aspect of international perspectives on media and the judiciary is the recognition of the importance of a free and independent press in upholding democratic values and ensuring public accountability. Countries such as the United States, Canada, and the United Kingdom have robust legal protections for freedom of speech and freedom of the press, enshrined in their respective constitutions or legal frameworks. In significant legal precedents like *New York Times Co. v. United States* in the US and *R. v. National Post* (2010) in Canada, the judiciary has upheld the pivotal function of the media in ensuring governmental accountability and fostering robust public discourse.

At the same time, international perspectives also highlight the need for balanced and responsible media reporting that respects the rights of individuals involved in legal proceedings. In the United Kingdom, for example, the Press Complaints Commission (now replaced by the Independent Press Standards Organisation) oversees standards of journalistic ethics and adjudicates complaints against media outlets for breaches of privacy, accuracy, and fairness. Similarly, in Australia, the Australian Press Council provides a mechanism for handling complaints about media coverage, ensuring that journalists adhere to ethical standards and respect the presumption of innocence in legal reporting.

Furthermore, international perspectives offer valuable insights into the challenges posed by new technologies and social media platforms in the context of legal proceedings. Countries such as Germany and France have implemented laws to combat the spread of online hate speech and fake news, while also balancing the need to protect freedom of expression. In India, the Supreme Court has addressed similar challenges in cases such as *Facebook Inc. v. Union of India* (2020), where concerns about the spread of misinformation and hate speech on social media platforms were raised in the context of ongoing legal proceedings.

In international perspectives on media and the judiciary underscore the importance of balancing freedom of expression with the need to protect individual rights and ensure fair and impartial legal proceedings. By learning from other jurisdictions, India can develop policies and regulations that promote transparency, accountability, and ethical reporting within its own legal system. By fostering a culture of responsible journalism and upholding the principles of fairness and justice, India can strengthen public trust in the judiciary and safeguard the rights of all individuals involved in legal proceedings.

8. POLICY IMPLICATIONS AND RECOMMENDATIONS:

In light of the complex dynamics between media intervention and the judicial process, there is a pressing need for policy reforms aimed at addressing the challenges posed by media influence while safeguarding the integrity of the legal system. Proposals for policy reforms should prioritize enhancing transparency, promoting ethical reporting standards, and fostering a more balanced discourse between media and the judiciary. One such reform could involve the establishment of regulatory mechanisms to oversee media coverage of legal proceedings, ensuring adherence to ethical standards and principles of fairness. The Supreme Court of India, in *Sahara India Real Estate Corporation Ltd. v. SEBI and Ors*, emphasized the need for self-regulation within the media industry, calling upon media organizations to adopt codes of conduct and mechanisms for redressal of grievances. Additionally, strategies for fostering a more balanced discourse between media and the judiciary could include the promotion of media literacy initiatives aimed at educating the public about the role of the media in the legal process and encouraging critical thinking skills.

The Supreme Court, in *Hussainara Khatoon v. Home Secretary, State of Bihar*, recognized the importance of public awareness and participation in the administration of justice, highlighting the need for informed citizenry to hold public institutions accountable, and emphasizing the role of media literacy in promoting democratic values and ensuring the responsible exercise of freedom of speech and expression. By implementing these policy recommendations, policymakers can work towards creating a regulatory framework that upholds the principles of transparency, accountability, and fairness in media coverage of legal proceedings, thereby strengthening public trust in the judicial system, promoting media literacy, and ensuring the responsible exercise of freedom of speech and expression for all individuals involved.

9. CONCLUSION

In the grand tapestry of India's judicial landscape, the role of media influence is undeniable. From the corridors of justice to the living rooms of millions, media outlets wield immense power in shaping public perception and, consequently, the course of justice. However, with great power comes great responsibility. The ethical imperative for media outlets to wield their influence responsibly cannot be overstated. It is imperative that media coverage of legal proceedings upholds the principles of truth, accuracy, and fairness, without succumbing to the temptations of sensationalism or prejudice. Only by maintaining a steadfast commitment to these principles can the delicate balance between media scrutiny and judicial integrity be preserved, ensuring that justice truly remains blind. As the complexities of the modern media landscape, in the words of Justice Louis Brandeis: "Sunlight is said to be the best of disinfectants." With transparency, accountability, and a shared commitment to the rule of law, that harness the power of media influence to illuminate the path to justice for all.

CONFLICT OF INTERESTS

None.

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