

**RESEARCH PAPER****Freedom of Expression and the Right to a Fair Trial: The Challenge of Media Trials in India****<sup>1</sup>Shailendra Kumar Sharma and <sup>2</sup>Atul Arora**<sup>1</sup>Department of Law, DAV (PG) College, Muzaffarnagar<sup>2</sup>Shri Venkateshwara University, GajraulaEmail: [atul21a@gmail.com](mailto:atul21a@gmail.com)Received: 11<sup>th</sup> Feb. 2023, Revised: 15<sup>th</sup> March 2023, Accepted: 24<sup>th</sup> March 2023**ABSTRACT**

The 21<sup>st</sup> century has brought about a fundamental change in the way we communicate, moving away from conventional print media like newspapers and television and toward more contemporary media like social media. Years ago, Lord Macaulay, a British member of parliament, referred to the media as 'the fourth pillar of democracy'. Since then, it has been often cited, and a free Press is seen as essential to a democracy. However, the Media has changed since then. Media organizations have compromised their journalistic ethics and ideals due to a number of causes, which has a significant negative impact on the country. In today's culture, Media involvement in cases that are under trial has become common place. Judges are somehow forced to make decisions based on the media's subsequent criticism. This, particularly in many high-profile instances, results in the media's conclusion becoming the ultimate decision in trial courts. The media independently initiates investigations and shapes public opinion in its reincarnation as a public Court. It goes without saying that a free and healthy media functionary is necessary to ensure that the democracy runs properly. However, the sub-clause (2) of Article 19 of the Constitution of India usually ensnares the freedom of speech in debate. The freedom to be in contempt of Court is not embraced by it. However, given the present circumstances, the Media plays a major role when justice is completely disregarded or postponed. Even while the Media contributes to social and political development, it is also occasionally observed that the media is involved in the profit-making industry. This research work aims to analyse the effects of the media trial and how it continues to meddle excessively with the administration of justice under the guise of freedom of speech and expression. The impact of media trials on the rights to privacy, reputation, legal representation, and a fair trial is also examined in the dissertation.

**Keywords:** Media Trial, Freedom of speech, Fair Trial, Contempt of Court, Right to Privacy

**INTRODUCTION**

As a result, every person is free to talk, write, and print, but they will be held accountable for any misuse of this right that is regulated by law. The right to freedom of speech and expression is granted via a number of procedures; but, as was previously said, there are certain 'reasonable restrictions' that may be placed on this right. Similar to how 'freedom of speech and expression' must be maintained in a democracy. In order to preserve social order, it is also essential to impose some limitations on such freedom.

It is better for the media to just provide information to the public in an impartial way rather than holding trials that might be in conflict with the right to a fair trial. When the media extensively covers subjudged subjects and publishes facts and opinions that clearly harm the interests of the parties in a case that is still ongoing before a court, the difficulty reaches its apex. A fair trial may be conducted by the judiciary's institution, and media trials should be avoided since they might interfere with the judiciary's operations. The 'Media Trial' problem is a significant one that requires attention. Press freedom shouldn't be allowed to the point where it negatively impacts people or society as a whole. Like any other freedom, the freedom of the media cannot be unlimited since they should be held accountable for their actions.

**OBJECTIVES OF THE STUDY**

- To research how media trials have changed in India.
- To investigate the function of the media in a democracy.
- To research the development of India's freedom of speech and expression.

- To investigate the effects of media trials and how they clash with the many influences on the Indian judiciary.

### CONCEPT OF MEDIA TRIAL

The phrase 'trial by media' was only created and is still up for debate; however it refers to a component of media activism. These are often characterized as local or national news events that use the criminal justice system as a source of dramatic and entertaining content. Constitutional democracy is accompanied by both a free press and an independent judiciary.

The scope and reach of Media have expanded significantly in recent years due to the rise of cable television, local radio, and newspapers. This steadily growing readership and viewership has allowed our news media organizers to play an unparalleled role in influencing public preferences and attitudes. The phrase 'trial by media' itself is misnomer.

Neither the Code of Criminal Procedure nor the Code of Civil Procedure defines the term 'trial'. In essence, a trial is a procedure that the courts must follow. The media's trial is an excessive intrusion on the administration of justice. It might be relevant to attempt to define the term 'trial by media' before diving into the question of whether a media trial is justified. The term 'trial' is linked to the legal system's operation. The right of the accused to a fair trial is a fundamental aspect of every legal system.

The Supreme Court of India's Honourable Justice Kurian Joseph said that media trials in ongoing cases should be avoided in order to spare judges the tremendous strain they cause. He made this statement during an address to the Bar Council of India Meet in Chennai on July 26, 2015, citing pressure on the judiciary during the Nirbhaya Gang Rape case.

Please refrain from pursuing matters in the media until they are resolved. Avoid trying a case in the public because it puts a lot of pressure on judges, who are also people. He claimed that a judge who handled the case had previously informed him that 'had he not given that punishment, they would have hung him', referring to 'the amount of pressure that is built'.

"They would have hung me if I hadn't given that punishment," the judge said. "The media had already rendered their decision, so it's going to be this only." However, he went on to say, "The judge who heard the Nirbhaya case had good grounds to impose the penalty, not because the media claimed so.

The Hon'ble Supreme Court defined 'trial by media' in *R.K. Anand v. Delhi High Court* as the effect of newspaper and television coverage on a person's reputation by creating a general sense of guilt, regardless of the outcome of a court case. In high-profile cases, the media is frequently accused of creating a lynch mob-like atmosphere of mass outrage, which not only makes a fair trial unlikely but also guarantees that, regardless of the trial's verdict, the accused is already guilty in the eyes of the public and is thus doomed to spend the rest of his life under constant public scrutiny.

When prominent celebrities are engaged, the media's influence has the power to significantly alter the opinions of these celebrities' fans. One such instance is *Rhea Chakraborty v. the State of Bihar, 2020* (Sushant Singh Rajput's Death Case), in which the accused brought up the subject of media trials and the media played a significant role.

### ROLE OF MEDIA IN DEMOCRATIC SOCIETY

The Supreme Court of India clarified that the core tenet of 'freedom of the Press' is the public's right to know. According to the Supreme Court, the main duty of the Press is to provide thorough and impartial information on all facets of the nation's political, social, economic, and cultural life. It has a function to play in mobilization and education. It has a significant impact on shaping public opinion.

By providing the public with access to all information sources, 'freedom of the Press' advances the 'right to know'. It keeps the public informed about all the topics so that they are prepared to make a rational judgment on issues that affect society as a whole. Firstly, the subject should be of public importance for the reader to know, and secondly, an effort is being made to hide the facts from the public. These are the two most important components of investigative journalism. In a democracy, the Media's job is to encourage openness. The people may voice their opinions on matters of public concern thanks to the Media.

**MEDIA TRIALS V. JUDICIARY**

Media trials have gained importance in India. In a number of instances, the Media took matters into their own hands and rendered a verdict against an accused person in violation of the right to a fair trial. There have also been some very notorious instances that have angered the public and affected the judiciary, such the *Jessica Lal case, 2010*, in which the trial Court cleared the accused of all charges and the media celebrated their efforts to deliver justice to Jessica Lal. A law student was raped and killed in the *Priyadarshini Mattoo case* in 2006, and it was thought that the media trial affected the case's verdict. The Media was credited in the rape case of Bijal Joshi and the murder case of Nitish Katara, where the culprits might have escaped punishment had the media not stepped in. However, the Media also singled out innocent persons in the Maria Susairaj and Malegaon bomb cases, disregarding the significance of accuracy.

In a *suo motu* case, the Delhi High Court noted that India's legal system operates extremely slowly and that, during that time, if an innocent individual is put through a media trial, they would have no genuine recourse. As a result, in a 'trial by media' case, it is uncommon to see someone go to Court to ask for remedy in the form of damages or injunction. The Court went on to state that it is the duty of all courts to be more watchful and proactive in order to safeguard people's rights and reputations against an unjustified 'trial by media'. In a way, the 'rule of law' has to be energized by the courts. Although it puts more strain on the criminal courts, it is crucial to safeguard citizens from being harmed by the media. Since the Media does not have the authority to proclaim someone guilty or innocent, they should not do so if they are detained on suspicion of committing a crime. The judiciary is responsible for this role. Because the accused should normally be deemed innocent until proved guilty, the 'trial by media' has an impact on the court's decision while simultaneously harming the accused.

There are flaws in the judiciary as well. Because they are human, judges and other judicial officials also have flaws. Additionally, they may be subconsciously influenced by media coverage or trials. As a result, it becomes crucial to enact laws governing media coverage during an ongoing or imminent trial.

**MEDIA TRIALS V. FREEDOM OF SPEECH AND EXPRESSION**

Dr. B.R. Ambedkar said during the Constituent Assembly debates that: "The Press has no unique rights that individuals cannot grant or exercise in their own individual capacities. No particular mention of Press freedom is required since the management or editor of a Press is just exercising their right to free speech.

There is no mention of Media freedom in Part III of the Constitution of India. The Indian Constitution has no such clear provision regarding media freedom. Article 19 (1) (a) of the Constitution of India, which guarantees 'freedom of speech and expression', implies this freedom. Even if this right isn't specifically mentioned, it doesn't make it any harder for Indian courts to defend media freedom.

Media freedom is not total, and even ardent liberals believe that free speech rights are neither unrestricted nor unqualified, although they disagree on the appropriate boundaries. A permission to print and transmit anything without limitations is not granted by the free Press. The Media has an obligation to ensure that the public is given accurate information that does not infringe upon the rights of others. Therefore, the grounds for restricting the 'freedom of expression' are outlined in Article 19 (2). These limits stem from the laws pertaining to 'Contempt of Court', 'Right to Privacy', and 'Right to Reputation' among other things.

Public opinion on social, political, and economic issues is significantly shaped by freedom of expression, as defined by Article 19 (1) (a). Therefore, it is possible to argue that the mother of all other rights is the freedom of expression. In *Indian Express Newspapers (Bombay) Pvt. Ltd. v. Union of India (1984)*, Justice Venkataramiah of the Supreme Court reiterated the following in accordance with the statement: "The foundation of social and political interactions is press freedom. Nowadays, the Press has taken on the function of the public educator, enabling both formal and informal education on a vast scale, especially in developing nations where not all segments of society have access to television or other contemporary communication tools.

Therefore, the Press must be held legally responsible for any libel or slander committed while attacking an individual. In a similar vein, the Press cannot violate someone's privacy by using 'freedom of speech and expression' as a shroud. Additionally, while a trial is underway in a Court of law, the Press is not permitted to cover parallel trials. 'Contempt of Court' is what this will amount to.

The Supreme Court reaffirmed in *Printers (Mysore) Ltd. v. CTO* that although freedom of the Press is not explicitly protected as a basic right, it is implied by freedom of speech and expression. The Press has been rightfully referred to as the fourth chamber of democracy, and freedom of the Press has always been a valued right in all democracies. Therefore, it was generously supported by everyone who supports free speech and public participation in Government. It is the main responsibility of all national courts to protect this right and declare unconstitutional to any law or administrative action that infringe upon it or violate the constitutional mandate.

The Supreme Court of India ruled in *R. Rajagopal v. State of T.N.* that the freedom of the Press includes the ability to engage in open discussion over public personalities' engagement in public problems and events. However, in terms of their private lives, the democratic way of life outlined in the Constitution requires that the 'Freedom of the Press', 'Right to Privacy', and the 'Right to maintain defamation' be properly balanced. Since Target Rating Points (TRP) were introduced, media outlets have become more competitive, which has put a lot of pressure on journalism. Journalists used to work bravely, honourably, and impartially until this TRP was introduced. However, the media battle has become vicious due to the need of raising TRP scales. The Press Council of India (PCI) establishes rules and regulations to control the media.

#### **MEDIA TRIAL V. FAIR TRIAL**

The UDHR's Article 10 operates as follows: "In order to determine his rights and obligations as well as any criminal charges against him, every individual has an equal right to a fair and public hearing by an independent and impartial tribunal." Every person accused of a criminal offense has the right to be assumed innocent unless proven guilty by the law in a public trial where he has received all the safeguards required for his defence, according to Article 11 of the UDHR. The 'right to fair trial' is furthermore protected by Articles 14 and 16 of the International Covenant on Civil and Political Rights (ICCPR), which are obligatory for all member nations.

When considering the Indian legal system, the constitutional framework and procedural legislation reflect this worldwide commitment to a fair trial. The 'right to life' protected by Article 21 of the Indian Constitution implicitly includes the 'right to fair trial' in a criminal prosecution.

Because media trials include a struggle between two opposing ideals-free press and free trial-in which the public has a vested stake, they have produced a 'problem'. The right of the people in a democracy to participate in the current problems that impact them is the foundation of press freedom. This is the rationale for campaign and investigative journalism.

In India, the 'Right to Fair Trial', which refers to a trial free from undue influence, is recognized as a fundamental principle of justice. The Contempt of Courts Act, 1971, as well as Articles 129 and 215 of the Indian Constitution (Contempt Jurisdiction, or the Supreme Court's and the High Court's respective powers to punish for contempt of itself) include legal measures intended to protect the aforementioned privilege. Restrictions placed on the publishing or debate of issues pertaining to the merits of a case that is now before a court is of special importance to the media. Therefore, a journalist may be held accountable for contempt of court if he publishes anything that might impede a 'fair trial' or the court's ability to determine a case impartially, regardless of whether it is a criminal or civil proceeding.

The media goes beyond its authority when it publishes things that are known to be detrimental to a suspect or accused person, such as articles about the character of the accused, confessions, the case's merits, photos, police operations, imputation of innocence, fostering a biased environment, disparaging witnesses, and the criminal justice system in India. It includes a number of additional rights, such as the presumption of innocence until proven guilty, the need that guilt be established beyond a reasonable doubt, and the idea that the law is based on senses rather than feelings. The rights to a swift trial, a public trial, legal counsel, the freedom from coercion to testify against oneself, the ability to be present during the trial and question witnesses, etc.

The Supreme Court clarified that, "A fair trial obviously would mean a trial before an impartial judge, a fair prosecutor, and atmosphere of judicial calm" in ***Zahira Habibullah Sheikh v. State of Gujarat***. A fair trial is one in which there is no bias or prejudice against the accused, the witnesses, or the case under trial.

According to Articles 14 and 20, 21 and 22 of the Constitution of India, every person within the borders of India has the inalienable right to a fair trial. It goes without saying that the right to a fair trial is more significant since it is an inalienable right that stems from Article 21 of the Constitution, which is interpreted in conjunction with Article 14.

Article 19 of the Constitution guarantees the freedom of speech and expression. The basic right to freedom of speech and expression is guaranteed under Article 19 (1) (a) of the Indian Constitution. Only in the interests of the Sovereignty and Integrity of India, the security of the State, friendly relations with Foreign States, public order, decency or morality or in relation to contempt of Court, defamation or incitement to an offence," as defined by Article 19 (2), may this right be restricted by law. Independent Judges, public hearings, the assumption of innocence, the access to counsel, and several other elements are all part of a fair trial. To guarantee a fair trial, it is anticipated that judges would handle the case in an unbiased, independent, and competent manner. Therefore, the right to a fair trial is crucial for the effective administration of justice in a democracy. It is just as unfair to the accused as it is to the victim and the society when an accused person is denied a fair trial. The role of the Media in the Jessica Lal murder case has once again come into focus. The Court ruled that, despite the importance of print and electronic media today, it is not only desirable but also the least that is expected of those in charge of affairs in the field to make sure that a trial by the media does not interfere with the investigating agency's fair investigation and, more importantly, does not in any way impair the accused's right to defend themselves. If each of them hinders the recognized prudent and equitable inquiry and trial, it will be a farce of justice.

In subjudice cases, Indian courts have the authority to issue prior restraint orders, pre-publication injunctions, or pre-broadcasting injunctions. Prior to ordering a delay of publication, the two-pronged criteria of necessity and proportionality must be met. Furthermore, an injunction order should only be granted in cases when the danger in question cannot be avoided by reasonable alternative means. The defendants must provide the plaintiff a written notice via electronic means requesting his version of events before running any stories about him. The article will be broadcasted with the notification that the plaintiff has declined to speak in defence if he declines or does not respond within a reasonable amount of time.

#### **MEDIA TRIAL V. RIGHT TO BE REPRESENTED**

The 'Media Trial' has begun to put pressure on attorneys to refuse to take on cases involving the accused in an attempt to compel them to stand trial without a defence. Doesn't this go against natural justice principles? No one has the authority to deny someone the opportunity to present their case before the adjudicating court and to have themselves represented by the attorney of their choice. For example, renowned attorney Ram Jethmalani faced public mockery when he chose to represent Manu Sharma, a key suspect in a murder case. The choice to represent Sharma was seen as an effort to defend the indefensible by a senior editor of the television news network CNN-IBN. This was only one instance of a campaign against the accused that was started by the media. It is commonly known that Gopal Subramaniam, one of the nation's top attorneys, represented the State in that case, whereas Manu's case was assigned to a poor attorney.

#### **MEDIA TRIAL V. SUBCONSCIOUS EFFECT OF THE JUDGE**

Prejudice against the judges overseeing a specific case is another concerning aspect and one of the main accusations during a 'Media Trial'. There are claims that the judges are being influenced by the 'media trials', which is a big issue to be concerned about. On this issue, the American perspective is different from the Anglo-Saxon one. The former holds that 'Jurors' and 'Judges' are immune to the influence of media publications, while the latter holds that judges may be influenced unconsciously but subtly, leading the public to believe that judges are influenced by such publications.



Any publication that aims to discredit the Judge ought to be considered contempt of Court. Even though a legal system relies on fair and capable judges, media trials must be watched carefully since they might potentially affect the judges' subconscious. It is impossible to rule out the media's ability to shape behaviour and the way prejudices and ideas are expressed. "The impression that such remarks might have on the judge's mind or even on the minds of witnesses for a litigant is the genuine risk of prejudicial remarks made in newspapers or by any mass media that must be guarded against", was said in *In Re: P. C. Sen*.

The legal system's vulnerability stems from the reality that judges are just human, and that irresponsible speech may have an excessive impact on the logical process of decision making. The Court condemned the practice of 'trial by media' in *Rao Harnarain v. Gumani Ram*, noting that journalists cannot act as investigators while a case is pending and then attempt to sway the Court. The Indian judiciary has implicitly disputed the media's influence on its judges. "The grievance relating to trial by Press would stand on a different footing," the Supreme Court said. Judges are not swayed by negative publicity or propaganda. Although the judiciary has not explicitly acknowledged that media trials may influence judges, it has expressed worry about the potential effects of media coverage on ongoing court cases.

### **MEDIA TRIAL V. ITS EFFECT ON RIGHT TO PRIVACY**

The law of privacy acknowledges that everyone has the right to privacy and the freedom to be themselves. The need of privacy and its acknowledgement as a right are contemporary issues. It is the result of a culture that has become more individualistic and has moved the emphasis from society to the individual.

The UDHR's Article 12 operates as follows: "No one shall be subjected to attacks on his honour and reputation, or to arbitrary interference with his family, home, correspondence, or privacy." Everyone is entitled to legal protection from these kinds of intrusions or assaults. The Apex Court of India declares the 'right to privacy' to be a fundamental right.

Despite not being a distinct basic right, India's right to privacy has been recognized by the Constitution. Article 19(2) lists a number of acceptable limitations on the right to freedom of speech and expression, but privacy is not one of them. The Court has still been able to creatively interpret the right to life under Article 21 and the right to freedom of movement under Article 19 (1) (d) to carve out a fundamental right to privacy in spite of this gap.

*Kharak Singh v. State of U.P.* was the first lawsuit pertaining to the right to privacy. The majority in this case rejected the argument on the grounds that there could not be a basic right to safeguard one's own personal sensibilities since they were not open to the possibility of acknowledging a right to privacy. But later, in the *Govind v. State of M.P.* case, the Court recognized a limited right to privacy.

In *Sheela Barse v. Union of India*, *Prabha Dutt v. Union of India*, and *State v. Charulata Joshi*, the Supreme Court addressed the right of individuals to privacy in relation to journalistic breaches. In each of these instances, reporters asked the Supreme Court for permission to speak with and take pictures of the inmates. The Court tacitly recognized the right to privacy by ruling that the press has no absolute right to interview or photograph a prisoner and may only do so with his cooperation, even though the topic was not specifically addressed.

### **MEDIA V. CONTEMPT OF COURT**

As is already well known, the Indian Constitution's 'right to freedom of speech and expression' is not absolute, and reasonable restrictions may be placed on it for a number of reasons, including 'Contempt of Court'.

The public's trust in the openness of Court processes is increased when the media is able to report on events in courts and share that information with the public. As previously mentioned, there are situations in which truthful and impartial coverage of a trial (such as a murder trial) might yet result in a significant danger of prejudice-not in the current trial, but in a subsequent or related trial. In certain situations, postponement orders are the only workable way to reduce the possibility of bias in a subsequent or related trial.

Publications under free trials are protected from contempt actions under the Contempt of Courts Act, 1971. However, contempt of court is defined as any publication that interferes with, obstructs, or attempts to obstruct any process, whether civil or criminal, and the administration of justice, which is a pending proceeding. It has been referred to as contempt as some actions that are made public prior to the court's decision have the potential to deceive the public and compromise the accused's right to a fair trial. These kinds of articles might be about his prior convictions, his police confession, or just the accused's character assassination. Therefore, inaccurate court proceedings reporting will only be considered contempt if it can be shown, based on the specific circumstances of a case that it materially interferes with the administration of justice. Section 4 of the Contempt of Court Act of 1971 was created to provide the author of the publication a privilege as long as it is truthful and fair. This is founded on the judicial premise of open justice.

Even before the trial started, the Media had already determined who was guilty and who wasn't in the well-known case of Aarushi Talwar's murder on 27 March 2013. The public went into hysteria and there were large-scale demonstrations since her death was caused by her own parents. Despite the fact that the Media had gone crazy in this instance, the Press was also granted immunity. Without legislative intervention, such publications have been known to have continued unchecked.

### 200<sup>th</sup> LAW COMMISSION REPORT

In its 200<sup>th</sup> report on 'Trial by Media: Free Speech V. Fair Trial Under Criminal Procedure (Amendments to the Contempt of Courts Act, 1971)', the Seventeenth Law Commission made a number of recommendations aimed at resolving issues that are vital to India's criminal justice system. After taking into account the extensive coverage of crime and information on suspects and accused by the 'print media' and 'electronic media', the Law Commission tackled this topic of media trials *suo motu*. The whole pattern of news publications has changed as a result of the growing usage of television, and many of these articles negatively impact the 'accused', 'suspects', 'witnesses', 'judges', and the most importantly, the 'administration of justice'. The Indian legal system stipulates that a fair process must be followed and that an accused or suspect shall be assumed innocent unless proven guilty by a Court.

The Supreme Court and the House of Lords have acknowledged that judges are subtly influenced by negative publicity about an accused or suspect, according to the Law Commission Report. It might occur during the trial or at the point when bail is granted or denied. The Acts of 1926 and 1952 did not specify civil or criminal contempt, in contrast to the Contempt of Courts Act of 1971. Prior to 1971, common law standards were used to handle 'prejudicial publications' made even before someone was detained as contempt. Prejudicial disclosures published subsequent to the filing of a First Information Report (FIR) were even considered criminal contempt by some courts.

The Apex Court ruled in *Surendra Mohanty v. State of Orissa (Crl. App. 107/56 dt. 23.1.1961)* that the filing of a First Information Report (FIR) could not be regarded as the start of the case's pendency. According to this ruling, if a discriminatory publication was created after a formal complaint was submitted, it was exempted from the contempt rule. The Supreme Court noted in *A. K. Gopalan v. Noordeen* that if a prejudicial publication about the accused or suspect is published after they have been detained, it may be regarded as an arrest.

The Law Commission said that the Joint Committee's justifications for removing the mention of imminent proceedings were incorrect as the Committee failed to take note of the ruling in the *A. K. Gopalan case*. There was no legal uncertainty after the Supreme Court's ruling that the date of arrest should be the beginning point of a pending criminal proceeding. The Apex Court struck a compromise in this case between the rights of the suspect and accused as well as the media's freedom to publish. In this instance, the newspaper editor and others were found guilty of contempt for publishing disparaging material after the arrest, but A. K. Gopalan, who gave a statement after the filing of a formal complaint but before to an arrest, was found not guilty by the Court.

### CONCLUSION

As a communication tool, the media aids in the spread of knowledge and is crucial to a democracy since it informs the populace about social, political, and economic events in their community. They

are supposed to provide objective news and present the facts without passing judgment. However, the media sometimes attempts to misrepresent the facts and render a decision even in front of the Court.

The time has come to enact laws to limit the unbridled power of the media, even though it is the fourth pillar of Indian democracy and has a fundamental right under Article 19 (1) (a) of the Constitution. However, it cannot be permitted to overstep its bounds in the name of freedom of speech and expression to the point where it compromises the trial itself. By establishing stricter guidelines for the media to follow, the Indian Press Council may play a big part. Media organizations that violate this inalienable right may be subject to exemplary damages from the courts.

In addition to often inciting mob lynchings or influencing public opinion, media trials are very important in shaping the current generation's attitude and are excellent at holding offenders accountable. Despite the fact that the Media just expresses the views that the general population already has, mob mentality still prevails. The Media also helps with issues that arise when corrupt individuals or celebrities bribe officials to avoid going to trial and therefore boldly expose the truth in accordance with justice.

Any organization, including the legislative, executive, judicial, and bureaucratic branches, is susceptible to abuse if it goes beyond its bounds of authorized authority and duties. As is the case with judicial activism, these extreme actions might sometimes be a benefit in disguise. Along with the groundbreaking sting operations, the media trial is a commendable endeavour as it closely monitors the investigations and actions of the police executive and administration. However, there must be a decent amount of self-control over its scope, and the fair trial and judicial processes must be observed with a sufficient feeling of accountability. The media should be aware that its publications have a significant influence on viewers. As a result, the Media has a moral obligation to present the facts at the appropriate moment.

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