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Corresponding author : Sharma A, sanurag081228@gmail.com
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Impact of Media Trial on Judicial Independence and Fair Trial Rights

L'impatto del processo mediatico sull'indipendenza giudiziaria e sui diritti dell'equo processo

ANURAG SHARMA
Research Scholar, Amity Law School, Amity University, Gwalior, (M.P.), India.

DR RENU GOYAL
Assistant Professor, Amity Law School, Amity University, Gwalior, (M.P.), India.

Abstract

The phenomenon of media trials, amplified by the spread of digital media and social networks, raises significant issues regarding the independence of the judiciary and the right to a fair trial. Through structured interviews with a sample of 50 people, the study analyses the impact of the media on legal proceedings. The results show how media narratives can influence public opinion prior to a verdict, exert pressure on the independence of the judiciary and affect the presumption of innocence. Based on legal and empirical analysis, the study proposes a balance between freedom of expression, journalistic ethics, judicial safeguards and media literacy.

Il fenomeno dei processi mediatici, amplificato dalla diffusione dei media digitali e dei social network, solleva questioni rilevanti per l'indipendenza della magistratura e il diritto a un giusto processo. Attraverso interviste strutturate a un campione di 50 persone, lo studio analizza l'impatto dei media sui procedimenti giudiziari. I risultati mostrano come la narrazione mediatica possa influenzare l'opinione pubblica prima della sentenza, esercitare pressioni sull'indipendenza della magistratura e incidere sulla presunzione di innocenza. Sulla base dell'analisi giuridica ed empirica, il lavoro propone un equilibrio tra libertà di espressione, etica giornalistica, garanzie giudiziarie e alfabetizzazione mediatica.

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Keywords: Media Trial; Judicial Independence; Fair Trial; Freedom of Expression; Indian Judiciary.

Summary: 1. Introduction. – 2. Conceptual and Theoretical Framework. – 3. Review of Literature. – 4. Legal Framework Governing Media and Judiciary. – 5. Research Methodology. – 6. Media trial and Judicial independence. – 7. Media Trial and Right to Fair trial. – 8. Case Studies and Judicial Responses. — 9. Comparative Perspective. – 10. Findings and discussion. — 11. Recommendations and Reform Measures. — 12. Conclusion.

1. Introduction.

Media trials have become one of the major aspects of modern-day journalism and more so conducted in India due to the growth of the platforms of electronic media and social media. Heavy and tendentious coverage of sub judice cases has in certain cases assisted in shaping popular opinion that coincides with judicial litigation. Although the media is very instrumental in ensuring transparency and accountability, in accordance with Article 19(1) of the Constitution of India, such coverage has some fears about how they affect judicial independence and the right to fair trial, which is provided in Article 21. This paper discusses the connexion between media reports and administration of justice particularly with reference to the current legal provisions, such as constitutional provisions, statutory provisions and judicial precedent. It also involves primary survey information to gauge the attitudes of people but limits the scope and generalisability of conclusion.

2. Conceptual and Theoretical Framework.

The theoretical and conceptual framework of this paper rests on the constitutional principles and the legal theories of connexion between the media and the administration of the Indian judicial systems. The media as a means of informing the public and serving as an accountability mechanism is acting under the audience of the freedom of speech and expression in article 19(1) (a) of the constitution, as it suffers reasonable restrictions in the article 19(2).[1] However, when it comes to judicial process the freedom should be contrasted with the right to fair trial and presumption of innocence that are part and parcel of Article 21.

Media trials become a matter of concern when the media coverage goes beyond the fields of just narration to include information that is prejudice and

[1] E Barendt, *Freedom of Speech* (Oxford University Press 2005).

will consequently have a bearing on how people are perceived and how the judicial system is indirectly influenced. According to C Greer and E McLaughlin[2] the current state of the media may lead to the emergence of a phenomenon known as a trial by media, where the majority has been informed before a court of law. In the same light, other legal systems and judicial convictions, as in Sahara India Real Estate Corp Ltd v SEBI (2012)[3] and RK Anand v Registrar, Delhi High Court (2009)[4] note that it is necessary to maintain the lack of media involvement in sub judice cases in order to uphold judicial independence and fairness in the process.

2.1. Media Trial: Meaning and Dimensions

Media trials can be defined as incidences in which media coverage, analysis, and speculation influence the perception of the society in the guilt or innocence of an accused individual prior to the end of the court process. Media trials can be based on partial information and emotional accounts unlike formal trials in courts because media trials are subject to procedural safeguards, including the use of rules of evidence and due process. This establishes a similar procedure of social conviction which can discriminate the impartiality of a legal course. This has been exacerbated in India by the growth of television news and digital platforms. The shift of the print media to the 24-hours news cycles and the social media has allowed the dissemination of information almost instantly without proper cheques. Current political trial by media is the consequence of an ongoing news culture where the sensations and the shock of outrage can shame the view of justice.

It is especially noticeable that in high profile criminal cases, media narration influences the opinion of the society in the form of a case even before it is determined by the courts. There has to be a clear differentiation between media trial and investigative journalism. The investigative journalism plays a democratic role in revealing the truth and advocating responsibility but media trial emphasises sensationalism and connectivity with the audience. The Indian courts have realised the dangers of using such practises. In a case between RK Anand v Registrar, Delhi High Court (2009)[5] the Supreme Court warned media against meddling in ongoing proceedings. On the same breadth, the Court in Sahara India Real Estate Corp Ltd v SEBI (2012)[6] stressed on the significance of controlling reporting under sub judice cases to avoid prejudice in the right of fair trial. Therefore, media trials are an involved dichotomy between traditional

[2] C Greer and E McLaughlin, 'Trial by Media: Policing, the 24-7 News Mediasphere and the "Politics of Outrage"' (2011) 15(1) Theoretical Criminology 23.
[3] *Sahara India Real Estate Corp Ltd v SEBI* (2012) 10 SCC 603.
[4] *RK Anand v Registrar, Delhi High Court* (2009) 8 SCC 106.
[5] ibid.
[6] *Sahara India Real Estate Corp Ltd* (n 3).

and digital media and bring up an issue regarding how such type of media affect the process of justice.

2.2. Judicial Independence

The The concept of judicial independence is the foundation of constitutional democracy and mandatory in the support of rule of law. It makes sure that the courts operate without being exposed to external influences. Judicial independence in India is included in the basic structure of the Constitution that ensures that the judges make decisions only on the ground of evidence and legal arguments. This is a principle working on two levels, institutional and decisional. Institutional independence has to do with the structure of safeguarding like security of tenure and financial independence and decisional independence is an area that judges will be independent of the outside forces like popular opinion, media influence, etc. The two aspects are important in sustaining confidence of the people in the justice system. One impact of media trials on decisional independence is the creation of a pressure to act in the society due to constant and mostly bias in the reporting of media.

Although judges are supposed to be unbiased, when many high profile cases are being covered by the media, there is a possibility that judicial rulings become open to examinations and expectations by people. The Supreme Court in the case of Manu Sharma v State (NCT of Delhi) (2010)[7] recognised the effect of media reporting on justice administration and warned against biassed media reporting. There should be a balanced approach towards the media freedom and judicial independence. In Articles 19(1) (a) freedom of speech is liable to reasonable restrictions in Articles 19(2), contempt of court being one of them. According to Barendt[8], it is necessary to maintain judicial power to give rise to the idea that legal procedures are not affected by external factors. Thus, to preserve judicial independence when conducting media trials both the law and accountable journalism are needed.

2.3. Right to Fair Trial

The constitutional right of fair trial is an essential part of the criminal justice system and guaranteed in Article 21 of the Constitution of India. It contains such principles as the presumption of innocence, the equality to the law and trial by an unprejudiced tribunal. Such protections will make justice grounded on evidence and legal process but not foreign influence. When media take trial, these values are being jeopardised because when the media engage in sensationalism and speculations and reporting, they preconceive the guilt and

[7] *Manu Sharma v State (NCT of Delhi)* (2010) 6 SCC 1.
[8] Barendt (n 1).

bring such guilt out to the world. This coverage is able to affect the populace in a way of opinion and indirectly the witnesses, the investigators and the trials. In its 200th Report (2006),[9] the Law Commission of India pointed to these risks of prejudicial publicity, and proposed regulation of media reporting of sub judice cases.

The fair trial rights are also strengthened by international standards. The right to a fair hearing by an unbiased and independent tribunal is established in article 14 of the International Covenant on Civil and Political Rights (ICCPR)[10]. Simultaneously, it acknowledges that freedom of expression can be interfered with in order to increase the integrity of judicial processes. This balance has been resolved in a number of cases by an Indian court. The Supreme Court, in the case of Sahara India Real Estate Corp Ltd v SEBI (2012*)*[11] brought in postponement orders so as to curb prejudiced reporting in unfinished trials. Equally, the same case Sunday Times v United Kingdom (1979*)*[12] it was realised that, at times, media freedom can be limited to preserve the powers and independence of the judiciary. Finally, it is necessary to have a reasonable balance between the freedom of the press and privacy so that the pervasive media does not interfere with the due process and imparting of justice.

3. Review of Literature.

Media trials literature shows that there is increasing concern about the clash between the freedom of expression and administration of justice. Legal theorists also highlight the fact that transparency and accountability are reached best when media journalists widely report, but on the flipside, overboard or biassed reporting can negate the right to a fair trial. Barendt[13] emphasises that freedom of speech is essential but not absolute and it has to be caught up with the interests of other elements like judicial integrity. On the same note, Bhatia[14] describes that in relation to the Indian constitutional framework, the limiting of speech is acceptable when the need arises to safeguard the course of justice. The trial by media is a phenomenon that has received a significant scholarly discussion nowadays. According to Greer and McLaughlin,[15] the news cycle of 24-hour news has made the media make a very

[9] Law Commission of India, Trial by Media: Free Speech Vs Fair Trial Under Criminal Procedure (Amendments to the Contempt of Courts Act 1971) (Report No 200, 2006) https://lawcommissionofindia.nic.in/reports/report200.pdf accessed 13 July 2026.

[10] A Butt, 'International Covenant on Civil and Political Rights (ICCPR)' (2024) SSRN Working Paper https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4856071 accessed 13 July 2026.

[11] *Sahara India Real Estate Corp Ltd* (n 3).

[12] *The Sunday Times v United Kingdom* (1979) 2 EHRR 245.

[13] Barendt (n 1).

[14] G Bhatia, *Offend, Shock, or Disturb: Free Speech under the Indian Constitution* (Oxford University Press 2016).

[15] Greer and McLaughlin 'Trial by Media' (n 2).

formidable institution that would build storeys of guilt and innocence even before the court would escape judgement. This is given much importance especially in high profile criminal incidents, where the media affects the masses and creates pressure on the courts. Surette[16] goes on to observe that media images of crime are not only creating the perception of crime in the minds of the people but also have the possibility of influencing criminal justice in an indirect way. Discusses the constitutional aspects of the media trial in the Indian context and demonstrates the danger of prejudiced reporting in cases under sub judice.[17] Courts statements support these interests. In Manu Sharma v State (NCT of Delhi) (2010*)*,[18] the Supreme Court recognised the relevance of media coverage in the criminal proceedings, and in the case of RK Anand v Registrar, Delhi High Court (2009*)*[19] the Supreme Court criticised the role of the media in the process of justice delivery. In spite of these contributions, there is still the gap in the response of legal frameworks to the problems of the ever-changing digital media. This paper aims to make a contribution to this research through studying the legal provisions as well as the views of the people in the Indian context.

4. Legal Framework Governing Media and Judiciary.

Varying constitutional provisions, statutory laws, judicial precedents and self-regulatory measures also govern the regulation of media as far as judicial proceedings are concerned. The intention of these structures is to perceive the freedom of expression as well as the necessity to offer fair trials as well as to preserve the confidence of people in the judicial system.

4.1. Constitutional Provisions.

Articles 19 and 21 are the main pillars upon which the constitutional structure in India is formed. The press freedom is based on Article 19(1)(a) which guarantees the freedom of speech and expression. Nevertheless, such a right is limited through sensible limitations according to the performance of Article 19(2), like contempt of court, which aims to help avoid interference with the court process. Article 21, which grants the right of fair trial, has such principles as due process, presumption of innocence, and access to justice. Balancing of these rights has always been stressed upon by courts. In the

[16] R Surette, 'Media, Criminology, and Criminal Justice' in HN Pontell (ed), Oxford Research Encyclopedia of Criminology and Criminal Justice (online edn, OUP 2018) https://doi.org/10.1093/acrefore/9780190264079.013.473 accessed 13 July 2026.
[17] DJK Bhongale, 'Media Trial: Role of Media under Indian Constitution' (2021) SSRN Working Paper https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3904567 accessed 13 July 2026.
[18] *Manu Sharma* (n 7).
[19] *RK Anand* (n 4).

Sahara India Real Estate Corp Ltd v SEBI (2012)[20] case, the Supreme Court acknowledged that too much media coverage might give undue preference to an ongoing trial and suggested the provision of postponement orders, as a protective measure. On the same note, the Court pointed out in Manu Sharma v State (NCT of Delhi) (2010),[21] the dangers of biassed media reporting. In this way, the Constitution creates the balance between the freedom of the media and the fair trial rights based on the consideration that both of them are fundamental yet can be limited to avoid affecting judicial integrity.

4.2. Statutory Regulations.

The statutory laws have significant role in controlling the conduct of the media. The main law, which deals with this problem, is the Contempt of Courts Act which, 1971, the authoritarian ship of which only allows the publication of some publications that can scandalise the court or put the current court cases at a disadvantage [22]. This will uphold judicial power and objectivity. Secondly, mechanisms that control the self like the Press Council of India give the guidelines of ethical journalism. Such norms focus on the accuracy, equity, and moderation, especially when handling reporting sub judice cases. These mechanisms however are highly dependent on compliance and enforcement to make them effective. The judicial decisions promote these principles further. In RK Anand v Registrar, Delhi High Court (2009)[23] the Supreme Court was harsh against media intervention in the trial of cases. All these statutory and ethical frameworks are to ensure that there are no biassed reporting whilst maintaining the democratic aspect of media.

4.3. International Legal Standards.

International standards of law offer some additional impact on the process of media freedom against its fair-trial right. The international covenant on civil and political rights has in Article 14 ensured the right to a fair and public hearing, as a result of which an independent fair and impartial tribunal must conduct the hearing [24]. Simultaneously, it acknowledges that the freedom of expression can be limited by the things that are required to give authority and impartiality to the judicial system. This is of the extreme relevance to the case of Sunday Times v United Kingdom (1979).[25] According to the European Court of the Human Rights, freedom of speech can be suppressed at any point of

[20] *Sahara India Real Estate Corp Ltd* (n 3).
[21] Manu Sharma (n 7).
[22] M Pahal, 'The Contempt of Courts Act 1971' (2023) 6(3) Int'l JL Mgmt & Human 255.
[23] RK Anand (n 4).
[24] Butt (n 10).
[25] The Sunday Times (n 12).

need to facilitate the effective delivery of justice. This is an expansion of overseas policy that attempts to strike a balance between conflicting rights. In an article written by Fenwick and Phillipson[26] and Clayton and Tomlinson,[27] there is further information that legal institutions need to find a middle-ground that neither media freedom nor judicial independence or fair trial right are compromised. The balance is also supported by scholarly works. As pointed out by Clayton and Tomlinson and Fenwick and Phillipson, the limitations on media freedom can be paid where due to protect the power and fairness of the judge system.

5. Research Methodology.

In the present study adopted both doctrinal and empirical research methodology for studying the effect of media trials on judicial independence and the right of a fair trial in the context of Indian judiciary system. The doctrinal method involves critical examination of the provisions of the constitution, legislative enactments and case law, such as, among others, Articles 19 and 21 of the Constitution of India, the Contempt of Courts Act, 1971 and landmark precedents. Such an analysis helps to better understand the legal rules governing the behavior of news media in regard to court proceedings. Moreover, the research also contains an empirical part as a explores survey to get a sample of public opinion on the importance of media on the judge's work. Structured questionnaire with close-ended item questions in the form of 'Likert type' was used in collection of primary data. A convenience sampling method was used and 50 respondents with various education and work backgrounds participated in the survey. Because of the relatively small sample size and use of non-probability sampling, results in this study are exploratory in nature, so not much can be inferred from the results from these analyses. Ethical procedures, such as informed consent, voluntary participation, confidentiality and anonymity of respondents were observed during the research.

6. Media Trial and Judicial Independence.

Media trials create serious problems to the independence of the judicial system especially when a high profile case is involved where the full coverage of the media influences the expectations of the masses. On-going reporting, discussion panels, and speculative storeys can lead to the situation when decisions on the judicial level can be indirectly pressured by the citizens. Even

[26] HM Fenwick and G Phillipson, *Media Freedom under the Human Rights Act* (Oxford University Press 2006).
[27] R Clayton and H Tomlinson, *The Law of Human Rights: Second Annual Updating Supplement* (Oxford University Press 2003).

though the judges are supposed to be unbiased, the overwhelming influence of media discourse can have an impact on the rest of the institutional space where justice is served. According to Greer and McLaughlin [28], the contemporary media is the environment of 24 hours news cycle that increases the level of scrutiny among people and leads to the development of pre-judgement narratives. This trend has been threatening to turn the court proceedings into an opinion issue and not a decision issue. Role of media institutes in determining what people talk about and this may also have influence on legitimacy and justice. These risks have been identified by Indian courts. In the case, RK Anand v Registrar, Delhi High Court (2009), [29] the Supreme Court condemned the media action that had interfered in the conduct of justice. Likewise, this is the same situation expressed in Manu Sharma v State (NCT of Delhi) (2010)[30] where the Court accepted the possibility that colossal media coverage may influence judicial proceedings. Media freedom versus the independence of the judiciary is necessary hence to maintain the integrity of the justice system.

7. Media Trial and Right to Fair Trial.

Media trials constitute an immediate threat to the right to a fair trial since they affect presumption of innocence and predetermine the opinion of the masses before deliberation by the judges. Impactful reporting and biassed presentation of facts can result in bias affecting the accused causing a dent in their reputation and the process of litigation. Article 21 of the Constitution of India provides a right to a fair trial; thus, a decision made by a court may not be made based on some unknown facts. Nonetheless, media discourses can influence the views of the society in a way that influences witnesses, investigators and verdict indirectly. According to Surette,[31] the perception of the media about crime is a key determinant of the attitude of people to crime that, in turn, can shape the way in which the entire criminal justice process is guided. Indian judicial reactions have placed a value on protection of the fair trial rights. In Sahara India Real Estate Corp Ltd v SEBI (2012*),[32]* the Supreme court brought out postponement orders to curb prejudicial reporting in taking a trial. On the same note, in Manu Sharma v State (NCT of Delhi) (2010),*[33]* the Court pointed on the dangers of the media coverage in shaping the fairness of their proceedings. This view is reinforced by the international views. Article 14 of the International Covenant on Civil and Political rights establishes the right

[28] Greer and McLaughlin (n 2).
[29] *RK Anand* (n 4).
[30] *Manu Sharma* (n 7).
[31] *Surette* (n 16).
[32] *Sahara India Real Estate Corp Ltd* (n 3).
[33] *Manu Sharma* (n 7).

to fair hearing under an independent tribunal [34] Striking a balance between media freedom and the right to fair trial is thus quite relevant to allow that justice is not sacrificed upon the altercations of extraneous forces.

8. Case Studies and Judicial Responses.

The judicial directions in cases involving media trials show a strong attempt of balancing the freedom of expression and the concerns of safeguarding the sanctity of legal proceedings. Courts have also come in cases where the media coverage was identified to be biassed to ongoing cases or disrupting the process of the administration of justice. In RK Anand v Registrar, Delhi High Court (2009*)*,[35] the Supreme Court dealt with the question of including media in a sting which involves the delivery of a sting concerning a pending case and that such an activity was likely to destroy judicial process. On the same note, the Court of Manu Sharma v State (NCT of Delhi) (2010*)*[36] recognised the influence of media coverage in building up the opinion of the people and warned that media coverage can lead to interference with the right of fair trial proceedings. One major change here is the ruling in Sahara India Real Estate Corp Ltd v SEBI (2012*)*,[37] the Supreme Court acknowledged the necessity of taking preventive action and declared the postponement orders to control the media coverage on the sub judice cases. The objectives of these measures are to make sure that the media coverage will not bias the judicial results. Sunday Times v United Kingdom (1979)[38] is one example at the international level that demonstrates how courts have dealt with the same issues. The European court of human rights was of the opinion that limitations to the media report could be used to ensure the power and fairness of the court. The combination of these cases is that judicial intervention is the important factor in reducing the dangers presented by media trials.

9. Comparative Perspective.

A comparative analysis of legal systems shows that such a problem faced by judges and courts regarding the influence of media are not peculiar to Indian legal system. Balanced measures, with a protection of freedom of expression along with the prevention of violations to the right of a fair trial, have been implemented in several jurisdictions. In other jurisdictions such as in the United Kingdom and other countries under the influence of the European Convention on Human Rights, some guidelines have been evolved in the courts to allow

[34] Butt (n 10).
[35] *RK Anand* (n 4).
[36] *Manu Sharma* (n 7).
[37] *Sahara India Real Estate Corp Ltd* (n 3).
[38] The Sunday Times (n 12).

some unrestricted reporting to be taken away where who is required. The court understood the allowance of a fair restriction on freedom of expression in order to protect the integrity of the judiciary. Fenwick and Phillipson[39] and Clayton and Tomlinson[40] note that the legal system can have a number of elements that aim to limit the harms of prejudicial publicity, including statutory legislation, judicial protections and ethical guidelines. Likewise, India has a balanced approach with the help of legislation such as Contempt of Courts Act, 1971, as well as by the self-regulatory systems, Press Council of India. Comparative perspectives hence suggest that it is not just lack of regulation that is the major problem, but the proper application of the current protection measures. It is very important that in modern day democracies the independency of judges and the right to a fair chance can only be safeguarded by strengthening ethical journalism, judicial oversight and responsible conduct of the media in general.

10. Findings and Discussion.

The review of the survey answers sheds some light on the perception of the masses on how the media trials affected the justice of the land and right of a fair trial in the Indian context. The results also however show a split and subtle trend of reaction, and not a unanimity. This implies that although there are the issues of media influence, people are still divided on whether such influence is minimal or enormous.

Response	Frequency	Percent	Valid Percent	Cumulative Percent	Mean ± SD
Strongly Agree	9	18.0	18.0	18.0	
Agree	11	22.0	22.0	40.0	
Neutral	10	20.0	20.0	60.0	3.12 ± 1.32
Disagree	11	22.0	22.0	82.0	
Strongly Disagree	9	18.0	18.0	100.0	

[39] Fenwick and Phillipson (n 26).
[40] Clayton and Tomlinson (n 27).

Total	**50**	**100.0**	**100.0**	**100.0**	

Table 1: Media influences public opinion before the verdict

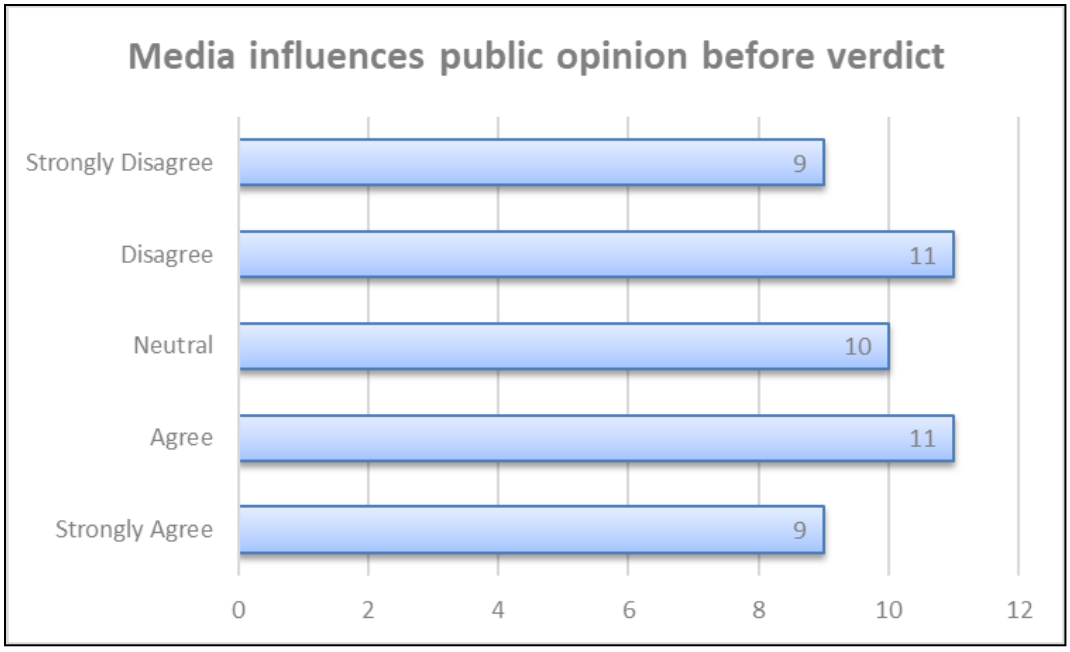


Figure 1: Media influences public opinion before the verdict

(Source: Self-Developed)

In regards to the first variable, which is, media influences the public opinion prior to the verdict, the mean score of 3.12 represents the moderate level of agreement. About 40 percent of the respondents replied with a statement that they concurred or agreed strongly with the statement, with the same number (40 percent) contradicting or strongly contradicting, leaving 20 percent of the respondents with a neutral response. Such distribution suggests that there is no obvious agreement, but on the contrary, a split view among the respondents. On the one hand, it becomes obvious that a considerable part of the population understands the impact of the media that shapes the opinion of the population, on the other one, a considerable part of the population does not see such influence as decisive. This is in accordance with the findings of Greer and McLaughlin[41], who opine that although media has the capability to

[41] Greer and McLaughlin (n 2).

influence narratives, its impact is relative through the interpretation and situations of the audience.

Response	Frequency	Percent	Valid Percent	Cumulative Percent	Mean ± SD
Strongly Agree	10	20.0	20.0	20.0	
Agree	12	24.0	24.0	44.0	
Neutral	9	18.0	18.0	62.0	**3.20 ± 1.34**
Disagree	10	20.0	20.0	82.0	
Strongly Disagree	9	18.0	18.0	100.0	
Total	**50**	**100.0**	**100.0**	**100.0**	

Table 2: Sensational coverage undermines presumption of innocence

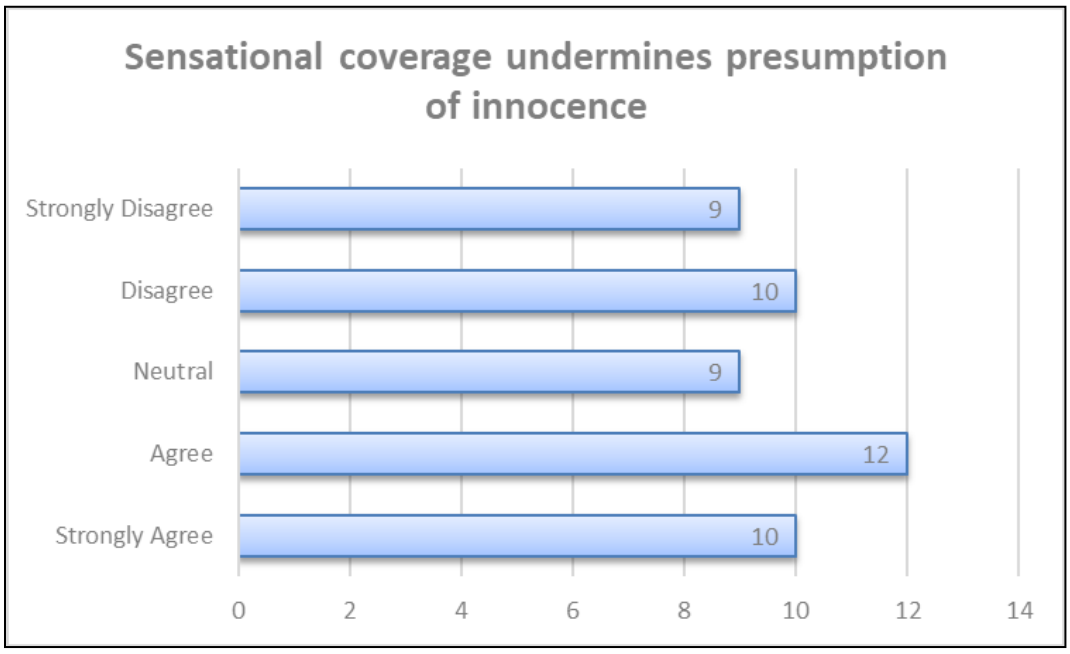


Figure 2: Sensational coverage undermines presumption of innocence

(Source: Self-Developed)

The second type of variables that produced a mean of 3.20 is the second variable, which is known as sensational coverage undermines presumption of innocence. In this case 44 percent of the respondents were in agreement or strongly in agreement, 38 percent were No and 18 percent were neutral. Whereas there is a small tendency towards apprehension about sensationalism, there are again divided answers to the same that shows divided public opinion. This implies that as most respondents are aware of the dangers of sensational coverage, other people might consider such reporting as a form of fair media freedom. Lawwise, such a conflict represents a larger constitutional conflict between the freedom of expression and the right to a fair trial.

Response	Frequency	Percent	Valid Percent	Cumulative Percent	Mean ± SD
Strongly Agree	11	22.0	22.0	22.0	
Agree	13	26.0	26.0	48.0	
Neutral	8	16.0	16.0	64.0	**3.34 ± 1.29**
Disagree	10	20.0	20.0	84.0	
Strongly Disagree	8	16.0	16.0	100.0	
Total	**50**	**100.0**	**100.0**	**100.0**	

Table 3: Media trials affect judicial independence

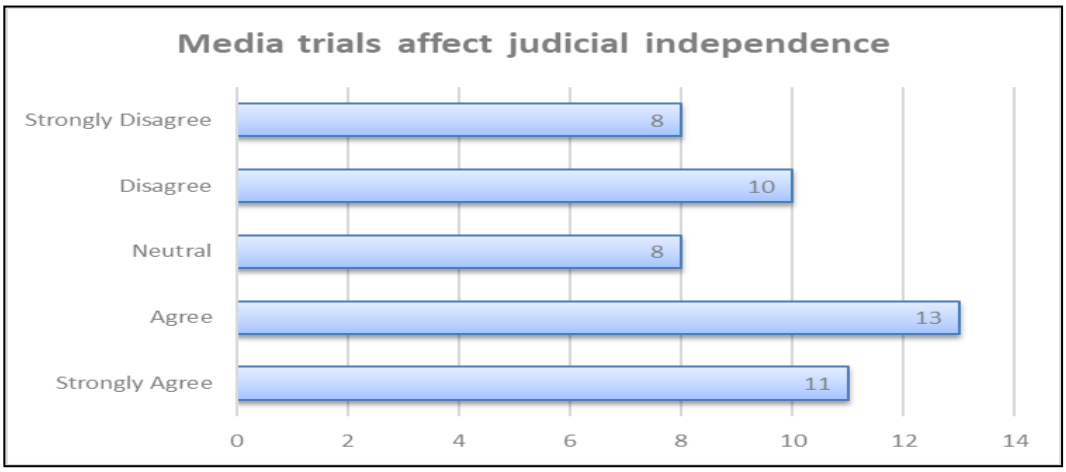


Figure 3: Media trials affect judicial independence

(Source: Self-Developed)

The third variable, media trials influencing judicial independence has a mean of 3.34 with 48% of the respondents agreeing whereas 36% of the respondents disagreed with the mean. Although this implies that the perception of media influence is slightly more pronounced, such a large group of dissidents shows that the respondents do not have a uniform view on the issue of judicial independence being greatly damaged. This could indicate trust in the institutional protection of the judiciary that is meant to guarantee fair decision makers. On the issue of media influence, it has been realised that the influence is acknowledged by the court, but the courts have also pointed out the fact that the judiciary in spite of the influence of the outside forces can be independent.

Response	Frequency	Percent	Valid Percent	Cumulative Percent	Mean ± SD
Strongly Agree	12	24.0	24.0	24.0	
Agree	14	28.0	28.0	52.0	
Neutral	7	14.0	14.0	66.0	**3.48 ± 1.31**
Disagree	9	18.0	18.0	84.0	
Strongly Disagree	8	16.0	16.0	100.0	

Total	**50**	**100.0**	**100.0**	**100.0**	

Table 4: Social media intensifies trial by media

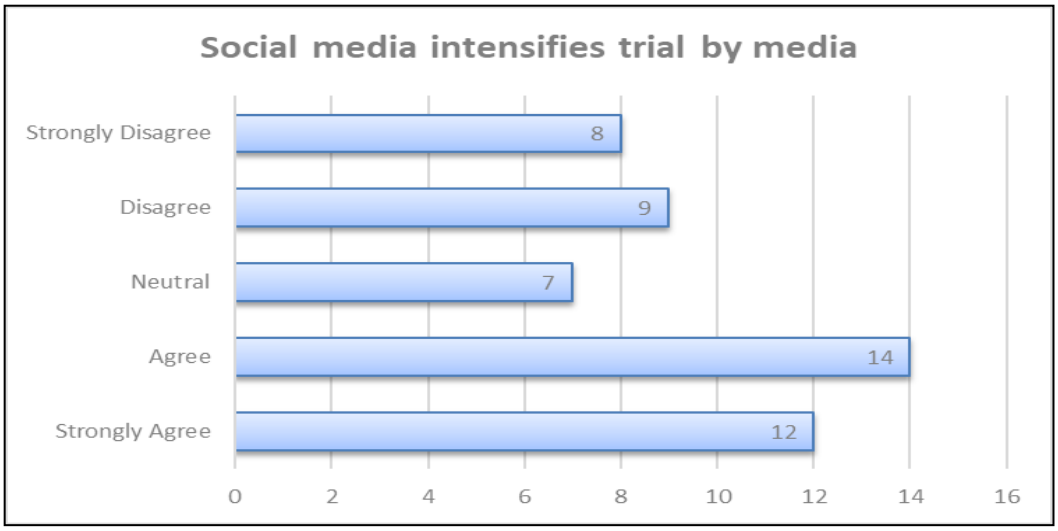


Figure 4: Social media intensifies trial by media

(Source: Self-Developed)

The fourth variable, which was trial by media is intensified by social media, had the mean score of highest 3.48. Most of the respondents (52%) were in agreement and strongly agreed and 34 percent disagreed and 14 percent were neutral. This indicates a comparatively higher perception according to which the media trials gain momentum on digital platforms. Social media enables the popular spread of views due to their interactive and swift nature and this can play a role in the creation of parallel narratives. Importance of media as a way of moulding the popular discourse and this seems to be enhanced in the digital world.

Table 4 shows a highest mean score of 3.48 with respondents strongly agreed that the practices of trial by media are significantly increased through the use of social media. This discovery is illustrative of the kind of easiness, speediness, and engagement that digital platforms offer in influencing people's opinion about current legal processes. Public attributes and responses to behaviour topic can be significantly shaped by multiple encounters with framed stories on social media. This amplification helps to organize parallel public trials outside the formal law, in judicial settings. In addition to the speed and accessibility of social media, algorithms are an integral part of a "politics of outrage," as theorized in the theoretical dimension of this study. algorithm-based platforms seek for content that is emotionally charged, controversial

and very engaging, to get maximum visibility and interaction from users. As such, sensational stories about the law, speculations about the case, and polarized opinions are more likely to be reposted and shared with others. Such algorithmic intensification sustains collective emotional responses, collective judgement on the part of the public and further strengthens confirmation biases concerning the accused and the sentence passed. As such, digital formats foster and escalate rhetoric built around acts of anger and outrage, which could impact the impartiality and neutrality of courts and undermine the right to a fair trial and public trust in the justice sector.

Response	Frequency	Percent	Valid Percent	Cumulative Percent	Mean ± SD
Strongly Agree	10	20.0	20.0	20.0	
Agree	15	30.0	30.0	50.0	
Neutral	9	18.0	18.0	68.0	**3.32 ± 1.27**
Disagree	8	16.0	16.0	84.0	
Strongly Disagree	8	16.0	16.0	100.0	
Total	**50**	**100.0**	**100.0**	**100.0**	

Table 5: Media scrutiny interferes with fair trial

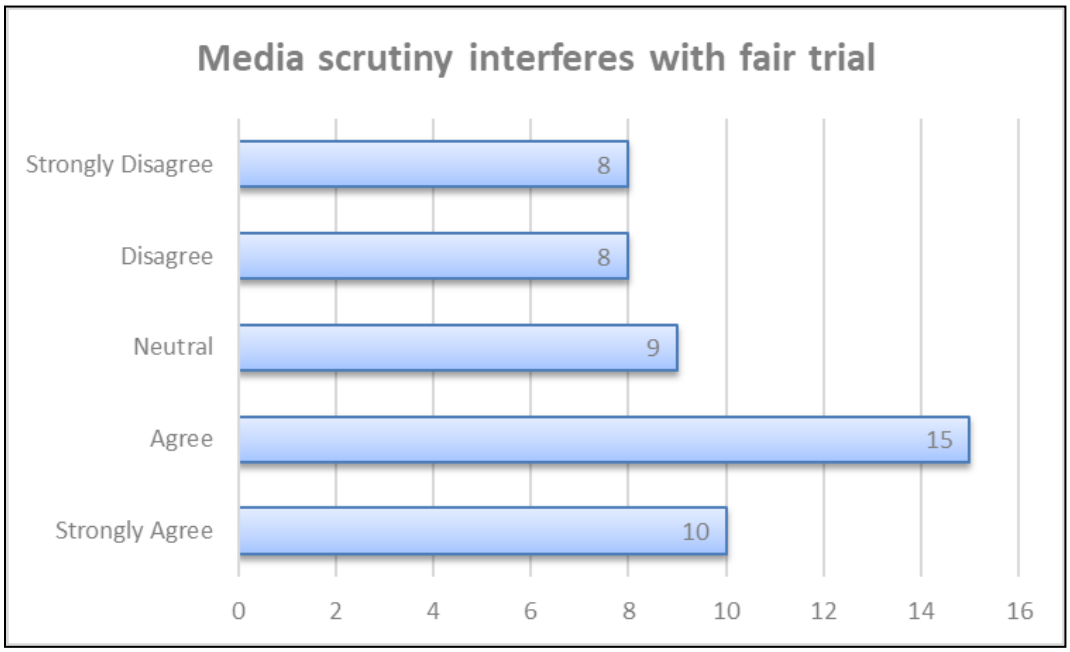


Figure 5: Media scrutiny interferes with a fair trial

(Sources: Self-Developed)

In the case of the fifth variable which is media scrutiny interferes with fair trial, the mean of the variable stands at 3.32 which denotes moderate concern. Although half of them, 50 percent of the sample acknowledged or strongly agreed, 32 percent of the sample disagreed and 18 percent remain neutral. This indicates the preference of the respondents that there is a possibility of interference, yet to the point that it was combined with majority opinion. The results help to argue that although media attention is seen as a potentially problematic concern, it is also regarded by certain people as a necessary element of transparency and accountability. This twofold thought is consistent with the greater legal interpretation of media freedom as a type of balance to fair trial rights [42].

Response	Frequency	Percent	Valid Percent	Cumulative Percent	Mean ± SD
Strongly Agree	9	18.0	18.0	18.0	
Agree	12	24.0	24.0	42.0	

[42] Barendt (n 1).

Neutral	11	22.0	22.0	64.0	**3.06 ± 1.35**
Disagree	9	18.0	18.0	82.0	
Strongly Disagree	9	18.0	18.0	100.0	
Total	**50**	**100.0**	**100.0**	**100.0**	

Table 6: Regulations are insufficient to control media trials.

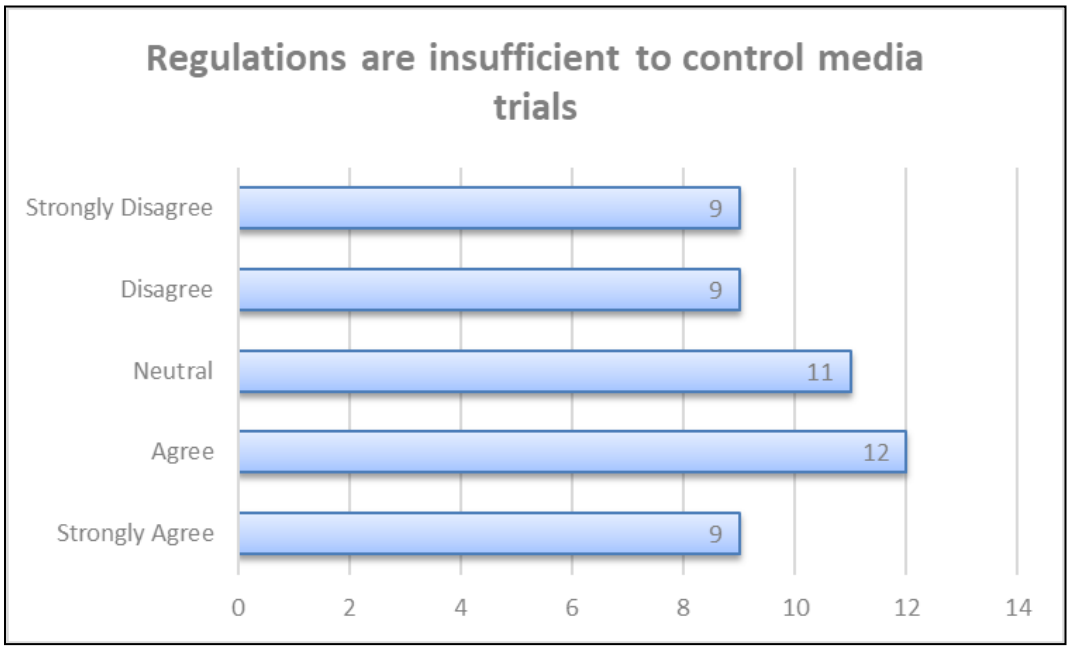


Figure 6: Regulations are insufficient to control media trials.

(Source: Self-Developed)

The sixth variable was called, regulations are not strict enough to control the media trials, its mean score was 3.06 which is rather neutral position. The level of agreement among the respondents stood at 42 percent but there was also an equal number (36 percent) of those who disagreed with the idea, and 22 percent said they were hesitant. This distribution is especially crucial in the context of the concern of the reviewer about insufficiency of regulations. The results are not decisive in favour of the conclusion that the current regulations are insufficient; on the contrary, they indicate uncertainty and ambiguity. This

could be a pointer to the fact that the problem is not just the sufficiency of legal frameworks but its enforcement as well. Regulatory mechanisms that are in place like the Contempt of Courts Act, 1971 and the guidelines of the Press Council of India have been offered to regulate this, but their efficiency relies on adherence.

Response	Frequency	Percent	Valid Percent	Cumulative Percent	Mean ± SD
Strongly Agree	8	16.0	16.0	16.0	
Agree	13	26.0	26.0	42.0	
Neutral	10	20.0	20.0	62.0	**3.00 ± 1.39**
Disagree	9	18.0	18.0	80.0	
Strongly Disagree	10	20.0	20.0	100.0	
Total	**50**	**100.0**	**100.0**	**100.0**	

Table 7: Stronger guidelines are necessary

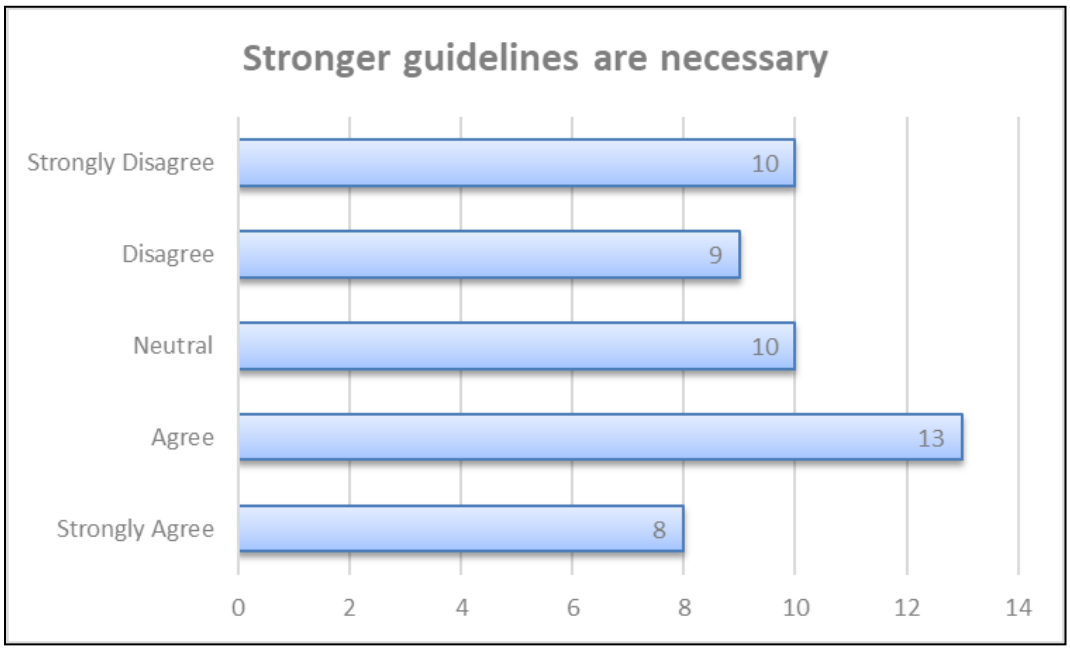


Figure 7: Stronger guidelines are necessary

(Source: Self-Developed)

The last variable, stronger guidelines are necessary, indicates a mean score of 3.00, which is equal distribution of responses. Although 42 percent of the respondents expressed their support to have stronger guidelines, 38 percent argued against it, and 20 percent were rather neutral. This once again shows the lack of any decisive stand from which it can be stated that although there is a support to reform, it is not too high. It appears that respondents realise that regulation must happen but at the same time, media freedom is necessary.

Altogether, the results indicate that the perception of the media trials by the population is complicated and is not so much equivalent. Although there is a moderate concern of the effects that media has on the judicial processes, the data does not clearly prove that media trials always interfere with the independence of judicial systems as well as the right of fair trials. Rather, the outcomes suggest that there is a balanced tension amid competing values which are the need to have transparency via media reporting and the need to have fairness in court proceedings. Such results agree with court principles that are expressed in legal rulings. In Sahara India Real Estate Corp Ltd v SEBI (2012)[43] the Supreme Court acknowledged that media reporting could be prejudicial to the trial but did not support blanket prohibitions but suggested such limited measures to delay the trial as postponement orders. In the same manner, international jurisprudence in the case of Sunday Times v United Kingdom (1979)[44] grounds a mediocre stance that guarantees freedom of expression as well as administration of justice. Nonetheless, the results should be considered against the context of limitations of the study. The results can be generalised with limited generalisability because of the small sample size and convenience sampling. Consequently, the conclusions made on the basis of this data can be considered as suggestive and not conclusive. Finally, the empirical data indicate that though media trials are perceived to have the effect, it is neither the homogenous as well as uncontested. The findings support the idea that a balanced solution should be taken that guarantees responsible media habits and protection of judicial independence and fair trial rights and not necessarily a lack of adequacy in the current legal systems.

[43] *Sahara India Real Estate Corp Ltd* (n 3).
[44] The Sunday Times (n 12).

11. Recommendations and Reform Measures.

The study proposes a balanced legal, ethical and institutional response to the challenges of media trials while maintaining freedom of expression. To curb prejudicial reporting and ensure the protection of judicial integrity, rather than adding more laws and bylaws, the existing laws and provisions, especially the Contempt of Courts Act, 1971, need to be enforced strongly. Self-regulatory bodies like the Press Council of India need to set and enforce stricter guidelines in relation to reporting issues that are on trial, with a focus on accurate, restrained, and responsible reporting. Preserving a sensitive situation by avoiding media interference by effective use of postponement orders should also be brought to the notice of Courts as is done in Sahara India Real Estate Corp Ltd v SEBI (2012).[45] Moreover, media literacy education and training journalists' professional ethics should also be encouraged to promote media's responsible reporting. All of this measures aim at maintaining balance between freedom of the press and right to a fair trial as guaranteed by the constitution.

12. Conclusion.

According to this work, it can be stated that the trials related to the media jeopardise the issues of judicial independence and a right to a fair trial, but the magnitude of their influence remains controversial. The results indicate that people are split and not unanimous when it comes to the view that media always destabilise the judicial process. Although media can play a very important role in terms of transparency and accountability, unchecked reporting or even sensational reporting can pose challenges to due process. Nevertheless, the current legal theories and judicial intervention reveal that this is not merely a lack of regulation that is problematic, but it is the successful execution of the concept. In line with law and jurisprudence, there is need to have a balanced approach. The enforcement can be strengthened, the ethical journalism can be promoted, and the constitutional values can be preserved to preserve the media freedom as well as the integrity of the justice system.

[45] *Sahara India Real Estate Corp Ltd* (n 3).