
SOCIAL MEDIA TRIALS AND THE RIGHT TO FAIR TRIAL IN INDIA

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ABSTRACT

The rise of social media has transformed the way information is shared and discussed, especially in matters involving criminal cases and public investigations. Platforms such as Twitter, YouTube, and Instagram often act as parallel courts where public opinion is formed long before the judicial process concludes. This trend, known as “social media trial,” poses a serious threat to the **right to a fair trial**, a fundamental aspect of justice protected under **Article 21 of the Indian Constitution**. While freedom of speech under **Article 19(1)(a)** allows citizens to express views, it must coexist with reasonable restrictions under **Article 19(2)** to prevent prejudice, defamation, and contempt of court.

This paper examines how unregulated digital commentary affects the presumption of innocence, judicial independence, and the integrity of criminal trials. It analyzes key judgments such as *Sahara India v. SEBI*, *Manu Sharma v. NCT of Delhi*, and *R.K. Anand v. Delhi High Court* to explore the judiciary’s approach to balancing free speech and fair trial rights. The study also discusses the role of the **Contempt of Courts Act**, the **Information Technology Act**, and the **2021 Intermediary Guidelines** in addressing such issues. Finally, it proposes reforms and ethical guidelines to ensure that digital spaces do not undermine constitutional justice.

Keywords: Social Media Trials; Fair Trial; Article 21; Freedom of Speech; Digital Responsibility; Contempt of Court.

I. INTRODUCTION

Social media has reshaped public discourse in an unprecedented manner. What was once limited to courtrooms and newsrooms has now shifted into the hands of millions of users across platforms such as Twitter, Facebook, YouTube, and Instagram. People are not just consuming news anymore; they are debating, judging, and in many cases, deciding the fate of individuals even before the courts pronounce their verdicts. This trend of “**social media trials**” raises serious questions about the **right to a fair trial**, which is an essential component of the justice system and is protected under **Article 21 of the Indian Constitution**.¹

In a democratic society governed by the rule of law, a person accused of a crime is presumed innocent until proven guilty by a competent court. However, the speed and reach of digital media often allow opinions to be formed and reputations to be damaged in a matter of hours.² Such public pressure can influence investigations, intimidate witnesses, and even sway judicial proceedings. On the other hand, **freedom of speech and expression**, guaranteed under **Article 19(1)(a)**, enables citizens to discuss matters of public importance, including legal cases.³ The challenge lies in balancing these rights — ensuring that free speech is not used to interfere with the administration of justice.

The Indian judiciary has grappled with this dilemma in several high-profile cases. For instance, in *Sahara India Real Estate Corp. Ltd. v. SEBI*, the Supreme Court acknowledged the need to prevent media from compromising fair trial rights and suggested measures like **postponement orders** for sensitive information.⁴ Similarly, in *Manu Sharma v. NCT of Delhi*, the Court warned against media narratives shaping public opinion against the accused before trial.⁵ These judicial responses reflect the evolving nature of legal protection in an age of digital activism and widespread public engagement.

This research paper aims to study how social media trials affect the criminal justice process, examine the constitutional and legal tools available to address this issue, and propose reforms that strike a balance between **digital responsibility** and **individual liberty**. Through a socio-

¹ Constitution of India, Article 21

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

³ Constitution of India, Article 19(1)(a).

⁴ *Sahara India Real Estate Corp. Ltd. v. SEBI*, (2012) 10 SCC 603.

⁵ *Manu Sharma v. NCT of Delhi*, (2010) 6 SCC 1.

legal lens, the paper argues for ethical self-regulation, judicial restraint orders, and policy intervention to safeguard the integrity of India's justice system.

Chapter 1: Evolution of Media Trials in India

The concept of a “media trial” in India has evolved through decades of transformation in the media landscape. In the early days, newspapers and radio were the primary sources of public information, and their reach was limited in both speed and audience size. One of the earliest examples of media influencing public opinion about a judicial case was the **Nanavati Case of 1959**, where the press played a strong role in shaping public sentiment regarding the guilt of a navy officer accused of murder.⁶ Although this case occurred long before the arrival of social media, it marked a shift — the public began to engage emotionally and morally with court proceedings, not merely as neutral observers but as active commentators.

The situation intensified with the arrival of **television and 24-hour news channels in the 1990s and 2000s**. Sensationalized reporting and panel discussions became common. Notable cases such as the *Jessica Lal murder trial* and the *Aarushi Talwar case* showed how television media could mobilize public opinion and, in some cases, even apply pressure on legal and police institutions.⁷ In many instances, TV news channels projected the accused as guilty before the courts reached a verdict, introducing new risks of undue influence on investigations and judicial decisions.

The digital era amplified this effect even further. With the rise of **social media platforms like Twitter, YouTube, and Instagram**, anyone with access to the internet can now express an opinion on legal proceedings — often without facts or accountability. Viral hashtags, trending videos, or personal blogs can now construct, distort, or influence the public's understanding of a trial in real time.⁸ Online spaces offer speed, anonymity, and emotional rhetoric, making them powerful yet unpredictable tools that can both democratize and disrupt justice. For example, during the **Sushant Singh Rajput case in 2020**, social media became a battleground of rumors, accusations, and character assassination that overshadowed legal processes.⁹

⁶ K.M. Nanavati v. State of Maharashtra, AIR 1962 SC 605

⁷ *Manu Sharma v. NCT of Delhi*, (2010) 6 SCC 1.

⁸ Pavan Duggal, *Cyber Law and Indian Legal Perspective* (Universal Law Publishing, 2021).

⁹ The Hindu, “Social Media and the Sushant Singh Case: A New Low in Trial by Media,” September 2020.

This chapter shows how Indian media has shifted from reporting facts to shaping narratives. With every technological leap, the potential for media-induced prejudice grows stronger. What began with newspapers now thrives in a fully digital ecosystem where public judgment spreads faster than legal judgment — raising serious concerns for justice and fair trial principles protected by the Constitution.

Chapter 2: Legal Framework in India

A fair and impartial trial is a foundational part of the Indian judicial system. It is **not only a procedural requirement** but also a **constitutional guarantee** embedded in **Article 21**, which ensures the right to life and personal liberty.¹⁰ This includes the right to be treated as innocent until proven guilty, the right to counsel, and the right to be heard before a neutral adjudicator. In the context of media and public discussions, this right often comes into conflict with **Article 19(1)(a)**, which grants citizens the **freedom of speech and expression**.¹¹

However, this freedom is not absolute. Under **Article 19(2)**, the State is empowered to impose “reasonable restrictions” on speech to protect public order, decency, morality, and the **integrity of judicial proceedings**.¹² These restrictions form the constitutional basis for controlling media or public commentary that could jeopardize ongoing trials or influence judicial outcomes.

One of the most important laws supporting this balance is the **Contempt of Courts Act, 1971**, which empowers courts to punish acts that may **interfere with or obstruct the administration of justice**.¹³ Prejudicial reporting, discussing confessions, character attacks against accused persons, or broadcasting unverified evidence during a trial can amount to criminal contempt. The objective is not to silence speech but to prevent “trial by media” that could bias judges, juries, or the public.

Criminal procedure laws further protect the fairness of trials. For example, **Section 327 of the Code of Criminal Procedure (CrPC), 1973** gives courts the power to conduct hearings in camera (closed to the public) in certain sensitive cases.¹⁴ The judiciary also has the authority

¹⁰ Constitution of India, Article 21.

¹¹ Constitution of India, Article 19(1)(a).

¹² Constitution of India, Article 19(2).

¹³ Contempt of Courts Act, 1971, Sec2(c).

¹⁴ Code of Criminal Procedure, 1973, Sec327.

to issue **gag orders or postponement orders**, directing media not to report specific details during ongoing cases, especially if such reporting may prejudice the rights of the accused.

In *Sahara India Real Estate Corp. Ltd. v. SEBI*, the Supreme Court recognized that while the press has a right to report, courts have the constitutional duty to ensure that judicial processes remain unaffected. It suggested postponed reporting as a tool to achieve this balance — allowing free speech, but at a later stage, when it no longer threatens justice.¹⁵ The overall legal framework thus seeks to harmonize the pillars of free media and free trial, without allowing one to undermine the other.

Chapter 3: The Concept of “Trial by Social Media”

A "trial by social media" refers to the phenomenon where individuals or groups use online platforms to express opinions, spread information, accuse, or judge an accused person before a court decides the case. Unlike traditional media, where editors and journalists act as intermediaries, social media allows anyone to become a reporter and commentator — often without verification or accountability.¹⁶ This shift in the nature of public discussion has created a culture where the court of public opinion starts working parallel to, or even ahead of, the court of law.

Social media trials often begin when users take up hashtags related to pending cases — such as #ArushiCaseOr #JusticeForSSR — driving narratives and influencing public sentiment.¹⁷ These conversations may start as expressions of concern or curiosity, but they can quickly turn into widespread allegations, moral judgments, and emotional campaigns. Public figures, celebrities, and influencers also add weight to these digital narratives, making it harder for the legal process to remain unaffected.

One major problem with social media trials is the rapid spread of unverified or false information.¹⁸ Unlike courtrooms governed by formal evidence rules under the Indian Evidence Act, social media has no filter — speculation, rumors, and opinions can all be shared

¹⁵ *Sahara India Real Estate Corp. Ltd. v. SEBI*, (2012) 10 SCC 603.

¹⁶ N.S. Nappinai, *Technology Laws Decoded* (Bloomsbury Publishing, 2021).

¹⁷ The Indian Express, “Hashtags and Headlines: The New Courtroom,” July 2020.

¹⁸ Pavan Duggal, *Cyber Law in India* (Universal Law Publishing, 2020).

instantly and widely. This can lead to prejudice against the accused, harassment of the victim or witnesses, and disrespect towards the legal system.

A recent example is the 2020 case involving actor Sushant Singh Rajput's death, where social media users, influencers, and some media houses speculated about murder, drug abuse, and conspiracy — long before any court ruling.¹⁹ As a result, individuals like Rhea Chakraborty faced public harassment, and the Mumbai Police and Central Bureau of Investigation were subjected to ongoing criticism and pressure from online campaigns. Such cases demonstrate how online narratives can distort facts, harm reputations, and interfere with investigations.

Social media trials do not just threaten the rights of the accused. They also undermine judicial independence by creating an environment of constant scrutiny and pressure, leading to a real danger of "mob justice."²⁰ In a democracy based on the rule of law, justice must be delivered **by courts, not crowds** — and every accused person must be treated as innocent until proven guilty. Social media trials compromise this core principle.

Chapter 4: Judicial Perspective on Social Media Trials

The Indian judiciary has consistently emphasized the importance of a fair trial as a core value of constitutional justice. Courts have often warned that media, especially when uncontrolled, can prejudice judicial proceedings and violate the rights of the accused. In several landmark judgments, the Supreme Court and High Courts have discussed the dangers of media trials and outlined principles to protect the justice system.

In *State of Maharashtra v. Rajendra Jawanmal Gandhi*, the Supreme Court made a strong statement: "A trial by press, electronic media, or public agitation is unconstitutional and interferes with the administration of justice."²¹ The Court held that newspapers and platforms are not courtrooms and that their opinions cannot replace the judicial process. This case marked one of the earliest judicial warnings against media-driven influence.

In *Manu Sharma v. NCT of Delhi* (Jessica Lal murder case), the Court acknowledged that media plays a powerful role in shaping public opinion, but it also cautioned that media must

¹⁹ The Hindu, "Social Media and the Sushant Singh Case: A New Low in Trial by Media," September 2020.

²⁰ *R.K. Anand v. Delhi High Court*, (2009) 8 SCC 106.

²¹ *State of Maharashtra v. Rajendra Jawanmal Gandhi*, (1997) 8 SCC 386.

not cross its limits by declaring someone guilty before a lawful conviction.²² The Court observed that media trials can not only violate the **presumption of innocence but also affect witnesses**, who may feel pressured or unsafe.

A key decision on regulating media reporting was delivered in *Sahara India Real Estate Corp. Ltd. v. SEBI*, where the Supreme Court introduced the idea of “**postponement orders**”.²³ This means that courts may temporarily prohibit the publication of sensitive information to avoid prejudicing an ongoing trial. The judges held that “free speech” must sometimes give way to ensure “fair trial,” especially in high-profile cases where media pressure is intense.

In *R.K. Anand v. Delhi High Court* (Sting Operation case), the Court expressed concern over private media acting as investigators, prosecutors, and judges.²⁴ While acknowledging freedom of press, the Court stressed that journalistic activism should not amount to contempt or compromise judicial integrity.

These judicial pronouncements show that Indian courts recognize both the importance of free speech and the need to safeguard the sanctity of the judicial process. The principle that emerges is clear: **media, including social media, must not prejudice or distort justice in the name of public interest**. A fair trial must remain the cornerstone of a democratic legal system.

Chapter 5: Impact of Social Media Trials on Fair Trial Rights

The right to a fair trial is a fundamental aspect of justice and is guaranteed under **Article 21** of the Constitution of India.²⁵ This right not only ensures procedural fairness during prosecution but also protects an individual’s dignity, presumption of innocence, and freedom from unnecessary prejudice. Social media trials, however, pose a direct and serious threat to these principles.

One of the most important components of a fair trial is the **presumption of innocence**. The criminal justice system assumes that every accused is innocent until proven guilty beyond reasonable doubt.²⁶ However, social media narratives often reverse this principle. Accusations,

²² *Manu Sharma v. NCT of Delhi*, (2010) 6 SCC 1.

²³ *Sahara India Real Estate Corp. Ltd. v. SEBI*, (2012) 10 SCC 603.

²⁴ *R.K. Anand v. Delhi High Court*, (2009) 8 SCC 106.

²⁵ Constitution of India, Article 21.

²⁶ *Kali Ram v. State of Himachal Pradesh*, (1973) 2 SCC 808.

sensational stories, or emotionally charged videos can portray an individual as guilty long before the court conducts a full trial. These premature judgments — often based on incomplete or misleading information — not only harm the accused’s reputation but can also impact their mental health and societal relationships.

Social media trials also risk **interfering with judicial proceedings**. When public discussions create an environment of hostility or sympathy towards one party, it can unintentionally influence witnesses, investigators, and even judicial officers.²⁷ Witnesses may feel intimidated, testimonies may be tainted, and judges may face undue pressure. This violates the sanctity of the judicial process, which depends on calm, evidence-based, and impartial decision-making. In this sense, trial by social media can amount to a modern form of “mob justice,” where verdicts are delivered by hashtags instead of judges.

In addition, social media trials often lead to **violation of privacy and dignity** of both the accused and the victims. Personal details, private messages, or photos are sometimes shared to shame or discredit individuals. Such disclosures not only violate **the right to privacy**, now recognized as a part of Article 21 in *K.S. Puttaswamy v. Union of India*, but also encourage cyberbullying and mental harassment.²⁸

Lastly, social media trials undermine **public trust in the justice system**. When the public begins to assume that guilt or innocence can be decided online, the credibility of the courts is questioned. Democracy stands on the rule of law — not the rule of opinion. The protection from public prejudice is not a privilege of the accused but a safeguard for the legitimacy and integrity of the entire justice system.

Chapter 6: International Perspectives on Media Trials

The challenges posed by media trials are not unique to India. As judicial systems worldwide grapple with the influence of press and public communication on criminal cases, several countries have implemented legal safeguards that limit media interference to preserve the right to a fair trial. A study of such global approaches can offer valuable lessons for India in shaping its own legal response.

²⁷ *Sahara India Real Estate Corp. Ltd. v. SEBI*, (2012) 10 SCC 603.

²⁸ *K.S. Puttaswamy v. Union of India*, (2017) 10 SCC 1.

In the **United Kingdom**, the principle of "sub judice" is strictly followed. Under the **Contempt of Court Act, 1981**, any publication that poses a substantial risk of serious prejudice to active legal proceedings can be treated as contempt.²⁹ The law allows courts to punish journalists or media outlets that report on evidence, confessions, or character details before the trial concludes. This approach balances press freedom with the accused's right to be judged only on admissible evidence.

The **United States**, in contrast, places a strong emphasis on the **First Amendment**, which protects freedom of speech and the press.³⁰ However, courts use procedural tools like **change of venue, sequestration of juries, and gag orders** to prevent prejudicial media coverage from affecting trials. In the landmark case of *Sheppard v. Maxwell*, the U.S. Supreme Court held that excessive media coverage violated the defendant's right to a fair trial and directed courts to control publicity more effectively.³¹ Though the press cannot be censored directly, the judiciary has mechanisms to reduce the influence of media during sensitive trials.

At the European level, **Article 6 of the European Convention on Human Rights** protects the right to a fair and public hearing by an independent tribunal.³² The **European Court of Human Rights (ECHR)** has repeatedly held that media comments likely to prejudice court proceedings may violate this article. European countries generally adopt a strict stance in restricting public or press discussions during ongoing trials.

Comparatively, India applies a flexible approach, using powers under the **Contempt of Courts Act**, the **Indian Penal Code**, and judicial guidelines to manage media excesses. However, unlike the UK or Europe, India lacks specific statutory provisions aimed solely at preventing media trials in the age of social media. With the digital public sphere rapidly expanding, India may benefit from clearer laws or codes that define the boundaries of public commentary on ongoing cases.

Chapter 7: Role of Law Enforcement and Regulators

In India, the responsibility for ensuring a fair trial lies not only with the judiciary but also with law enforcement agencies, media regulators, and online platforms. As social media

²⁹ Contempt of Court Act, 1981 (UK), Sec2(2).

³⁰ U.S. Constitution, Amendment I.

³¹ *Sheppard v. Maxwell*, 384 U.S. 333 (1966).

³² European Convention on Human Rights, Article 6.

increasingly becomes a tool to influence public opinion during ongoing trials, government bodies and enforcement agencies must play an active role in reducing the harmful effects of “trial by social media.”

- **Law Enforcement Authorities**

Police and investigative agencies are often the first to face pressure from social media narratives during high-profile cases. Prejudicial coverage and public accusations can create an atmosphere of suspicion and misinformation, hampering investigations.³³ In response, law enforcement agencies can issue public statements to clarify facts and discourage rumor-mongering. They must also strictly enforce laws against defamation, cyber harassment, or the publication of confidential information — especially under the Indian Penal Code and Information Technology Act, 2000.

- **Judicial Tools and Remedies**

The judiciary has several tools to control prejudicial content and preserve fair trial rights. Courts may issue gag orders, restricting public disclosure of sensitive information during trials.³⁴ They can also use postponement orders, as suggested in the *Sahara India v. SEBI* case, to delay media reporting until it is safe to publish.³⁵ In extreme cases, courts can initiate contempt proceedings against individuals or platforms for obstructing justice or spreading false narratives.

- **Role of Regulatory Bodies**

The Press Council of India (PCI) regulates print journalism and has laid down ethical norms for media reporting. However, the PCI has no jurisdiction over digital platforms.³⁶ To address this gap, the government introduced the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021. These Rules require social media platforms to remove unlawful or harmful content within a specified time after receiving government or court

³³ *State of Maharashtra v. Rajendra Jawanmal Gandhi*, (1997) 8 SCC 386.

³⁴ Code of Criminal Procedure, 1973, Sec327.

³⁵ *Sahara India Real Estate Corp. Ltd. v. SEBI*, (2012) 10 SCC 603.

³⁶ Press Council of India, *Norms of Journalistic Conduct* (2022).

orders.³⁷ They also require platforms to operate grievance redressal mechanisms and follow codes of ethics in reporting.

Despite these measures, there is no dedicated law to prevent social media trials. Regulatory efforts are scattered across laws for press, television, and online content, making enforcement complicated. With millions of users generating content online, a mix of self-regulation, legal safeguards, and ethical awareness is necessary for sustained impact.

The combined efforts of police, courts, and digital regulators can help ensure that social media serves the cause of transparency — without undermining justice or fairness. To fully protect fair trial rights, India must continue to develop targeted legal policies and strengthen institutional coordination.

Chapter 8: Ethical and Societal Dimensions

The impact of social media trials goes beyond legal concerns — it affects basic **ethical values, public behavior, and the culture of public debate** in society. As digital platforms become spaces for personal judgment and moral commentary, users must understand that freedom of expression comes with responsibility. A just society requires not only good laws and fair courts, but also ethical citizens who respect the rights and dignity of others.

- **Public Morality and Digital Behaviour**

Social media trials are often driven by **public morality** — the emotional desire to judge right from wrong based on limited information. In many cases, outrage replaces evidence, and popular sentiment overrides due process. This reflects a shift from reasoned justice to mob-based opinion, where the public becomes judge and jury.³⁸ Ethical engagement requires users to remember that expressing anger or suspicion online can have real-world consequences for individuals and institutions.

- **Violation of Personal Dignity**

One of the ethical concerns of social media trials is the violation of the **dignity and privacy of individuals** involved in legal cases. Unverified claims, character attacks, or private details of

³⁷ Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, Rule 3(1)(d).

³⁸ Soli J. Sorabjee, “Freedom of the Press and Fair Trial,” *Supreme Court Cases Journal* (2019).

the accused or victims are often shared widely, resulting in emotional trauma, social boycott, or even permanent reputational loss.³⁹ The harm caused by such actions is irreversible and contradicts constitutional values of **respect and equality**.

- **Responsibility of Digital Citizens**

In a democracy, the right to free speech must be balanced with the duty to use speech responsibly. The idea of “**digital citizenship**” encourages people to verify information, avoid sharing rumors, and respect the sub judice rule.⁴⁰ Ethical social media behavior demands restraint — remembering that court trials are not entertainment and that justice is not served by assumptions.

- **Role of Education and Awareness**

Promoting ethical use of social media is not just a legal issue but a social one. Schools, colleges, and organizations must teach **digital literacy and critical thinking**, helping people understand how to navigate truth and misinformation. Courts and governments alone cannot protect fair trials unless citizens understand their own role in preserving the justice system.

The ethical dimension of social media trials is clear: freedom without responsibility is dangerous. While laws can restrain harmful speech, only a culture of **responsible online engagement** can ensure justice and respect for everyone involved in the legal process.

Chapter 9: Suggestions and Future Reforms

The problem of social media trials in India calls for a combination of legal, regulatory, and ethical measures. The objective is not to silence public voices or restrict free expression, but to ensure that **digital spaces do not undermine justice** or violate the constitutional rights of individuals facing trial. The following suggestions aim to create a fairer and more responsible online environment while upholding the principles of democracy.

- **Legal Reforms and Clear Guidelines**

India currently has no specific law that addresses social media trials directly. Lawmakers could

³⁹ *K.S. Puttaswamy v. Union of India*, (2017) 10 SCC 1.

⁴⁰ UNESCO, *Social Media and the Courts: A Global Perspective*, 2021.

consider drafting a “**Digital Media Responsibility Act**”, which sets clear rules on public commentary during ongoing trials. This law could include penalties for disclosing confidential case-related information or for sharing unverified allegations that may affect trial outcomes.⁴¹

- **Strengthening Contempt Jurisprudence**

Courts already have the power to punish acts that interfere with justice through the **Contempt of Courts Act, 1971**. However, its application to social media remains unclear. Judicial guidelines could clarify how social media posts, hashtags, or online videos can amount to criminal contempt — especially when they prejudice an accused or mislead the public.⁴²

- **Enhancing Role of Intermediaries**

Under the **Information Technology (Intermediary Guidelines) Rules, 2021**, platforms must remove unlawful content within a fixed period.⁴³ These rules can be strengthened by requiring platforms to proactively detect and restrict content that spreads false legal claims or disrespects the sub judice rule. A “**red-flag**” system could allow courts to notify platforms of harmful content that threatens fair trials.

- **Promoting Ethical Media and Digital Literacy**

Beyond laws, the **media industry and educational institutions** must promote ethical reporting on legal matters. Journalists, influencers, and digital creators can be trained on legal limits and ethical codes, such as those in the **Press Council of India’s Norms of Journalistic Conduct**.⁴⁴ Digital literacy campaigns in schools and colleges can also help young citizens understand how to verify facts and avoid spreading misinformation.

- **Judicial Proactive Measures**

Courts can make greater use of **postponement orders or temporary gag orders** in highly sensitive cases to prevent prejudicial reporting.⁴⁵ Special trial courts may even consider “fast-

⁴¹ Law Commission of India, “Report on Trial by Media and Free Speech,” 2020.

⁴² Contempt of Courts Act, 1971, Sec2(c).

⁴³ Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, Rule 3.

⁴⁴ Press Council of India, *Norms of Journalistic Conduct* (2022).

⁴⁵ *Sahara India Real Estate Corp. Ltd. v. SEBI*, (2012) 10 SCC 603.

tracking” high-profile cases to reduce the window during which media trials can occur.

In conclusion, addressing social media trials requires a **multi-stakeholder approach**: lawmakers, courts, media institutions, online platforms, and the public must collectively commit to protecting both freedom of speech and fairness in justice. Only then can the balance between public participation and a fair trial be successfully maintained in the digital era.

Chapter 10: Conclusion

The rise of social media has changed the way people think, communicate, and participate in matters of public importance. What was once limited to headlines and television has now become a loud and often chaotic space where trials are debated, judgments are passed, and reputations are decided — all before courts finish hearing the evidence. This phenomenon, known as **social media trial**, challenges one of the most protected principles of the justice system — the **right to a fair trial** under Article 21 of the Indian Constitution.

This research paper has shown that while the **freedom of speech** under Article 19(1)(a) is essential in a democratic society, it must not become a weapon against the **presumption of innocence, judicial independence, or human dignity**. Social media trials not only risk prejudicing court decisions but can also cause irreversible psychological and social harm to individuals involved in ongoing cases. Pace, power, and public reach make digital platforms especially dangerous when used to influence criminal justice before a judge has spoken.

Judicial precedents like *Sahara India v. SEBI* and *Manu Sharma v. NCT of Delhi* have acknowledged the dangers of media-driven prejudice. However, courts alone cannot solve this issue. Real change requires **legal reform, ethical media practices, digital literacy, clear platform responsibility, and active public awareness**. The balance between open discussion and fair trial must be carefully protected to preserve both **democracy and justice**.

In the end, the court of law must always prevail over the court of public opinion. Justice must be based on facts, not hashtags — and decided by judges, not crowds. Upholding this balance is the collective responsibility of the State, media, platforms, and citizens in today’s digital society.

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