

The Verdict Before the Judgment: An Analysis of the Impact of Media Trials on Justice in India

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Abstract: *In recent years, the growth of television debates, digital news platforms, and social media has profoundly altered the way criminal cases are discussed. High-profile investigations no longer unfold only in courtrooms; they play out simultaneously in studios, on screens, and across online platforms. While media scrutiny can promote transparency and accountability, it can also create powerful public narratives that assume guilt long before a court delivers its judgment. This phenomenon—commonly described as “trial by media”—raises pressing constitutional concerns.*

This research paper examines the delicate balance between freedom of speech under Article 19(1)(a) of the Constitution of India and the right to a fair trial guaranteed under Article 21. It argues that when reporting shifts from informing the public to shaping verdicts in advance, the presumption of innocence is placed at risk. Through close examination of the Aarushi Talwar case, the Sushant Singh Rajput–Rhea Chakraborty episode, and the Aryan Khan prosecution under the NDPS Act, the paper illustrates how intense media coverage can influence public perception, exert pressure on investigative agencies, and cause lasting reputational damage regardless of eventual judicial outcomes.

It further evaluates existing legal safeguards, including contempt jurisprudence, Law Commission recommendations, and current regulatory mechanisms governing print and electronic media. A comparative review of approaches adopted in the United Kingdom, United States, Canada, and Australia reveals that India lacks a clear and structured framework for addressing prejudicial publicity during ongoing trials. The paper concludes by proposing measured reforms aimed at protecting both democratic transparency and procedural fairness. In a constitutional system governed by the rule of law, public debate must remain robust—but criminal guilt must ultimately be determined in courts, not in the court of public opinion.

Keywords: Media Trial; Fair Trial Rights; Freedom of Expression; Article 19 and 21; Presumption of Innocence; Contempt of Court; Criminal Justice

