

# Media & Criminal Law

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## **MEDIA - CRIMINAL LAW POINTS OF CONVERGENCE**

Sedition 124A

Obscenity 292-294

Incitement to offence or abetment ss 107-120

Promoting enmity between groups 153A

Imputation prejudicial to national integration 153B

Identity of Rape Victim 228A

Media by trial

## MEDIA: ACCESSORY TO THE CRIME?



## SOMETHING FOR THE MEDIA TO THINK ABOUT

“A mob of about a hundred people arrived at my house at 11 this morning (Sunday, October 31, 2010.) They broke through the gate and vandalized property. They shouted slogans against me for my views on Kashmir, and threatened to teach me a lesson.

The OB Vans of NDTV, Times Now and News 24 were already in place ostensibly to cover the event live. TV reports say that the mob consisted largely of members of the BJP's Mahila Morcha (Women's wing). After they left, the police advised us to let them know if in future we saw any OB vans hanging around the neighborhood because they said that was an indication that a mob was on its way.

In June this year, after a false report in the papers by Press Trust of India (PTI) two men on motorcycles tried to stone the windows of my home. They too were accompanied by TV cameramen.”

## ARUNDHATI ROY QUESTIONS MEDIA

What is the nature of the agreement between these sections of the media and mobs and criminals in search of spectacle?

Does the media which positions itself at the “scene” in advance have a guarantee that the attacks and demonstrations will be non-violent?

Does the media then become accessory to the crime?

In the race for **sensationalism** the line between **reporting news** and **manufacturing news** is becoming blurred.

This question is important, given that some TV channels and newspapers are in the process of brazenly inciting mob anger against me.

What happens if there is criminal trespass (as there was today) or even something worse?

So what if a few people have to be sacrificed at the altar of TRP ratings?

## OFFENCES AGAINST RELIGION

1. Uttering words with deliberate intent to wound religious feelings s 298
2. Criminal intimidation s 503
3. Intentional insult to provoke breach of peace 504
4. Statements causing public mischief 505
5. Insulting the modesty of women 509





**UTTERING WORDS WITH DELIBERATE INTENT TO  
WOUND RELIGIOUS FEELINGS S 298**



- Thousands of believers flocked to a suburban street in the west of Mumbai in March, when drops of water began to fall from the feet of Jesus on the cross, drinking the prized liquid in the hope that it had holy powers.
- Sanal Edamaruku, president of the Indian Rationalist Association, said he inspected the site and found the source of the water to be leaking toilet drainage, making it dangerous to imbibe.
- *“Any kind of miracle-mongering is ultimately to get money and power.”*
- Accusing him of spreading “anti-Catholic venom” during televised debates on the crucifix, outraged religious groups in Mumbai have filed police complaints that could see **Edamaruku jailed for up to three years under India’s blasphemy law. 2012**

**Sanal accused  
the Catholic  
Church of  
“miracle  
mongering”**



Sanal Edamaruku



## FREEDOM AND SOCIAL INTEREST

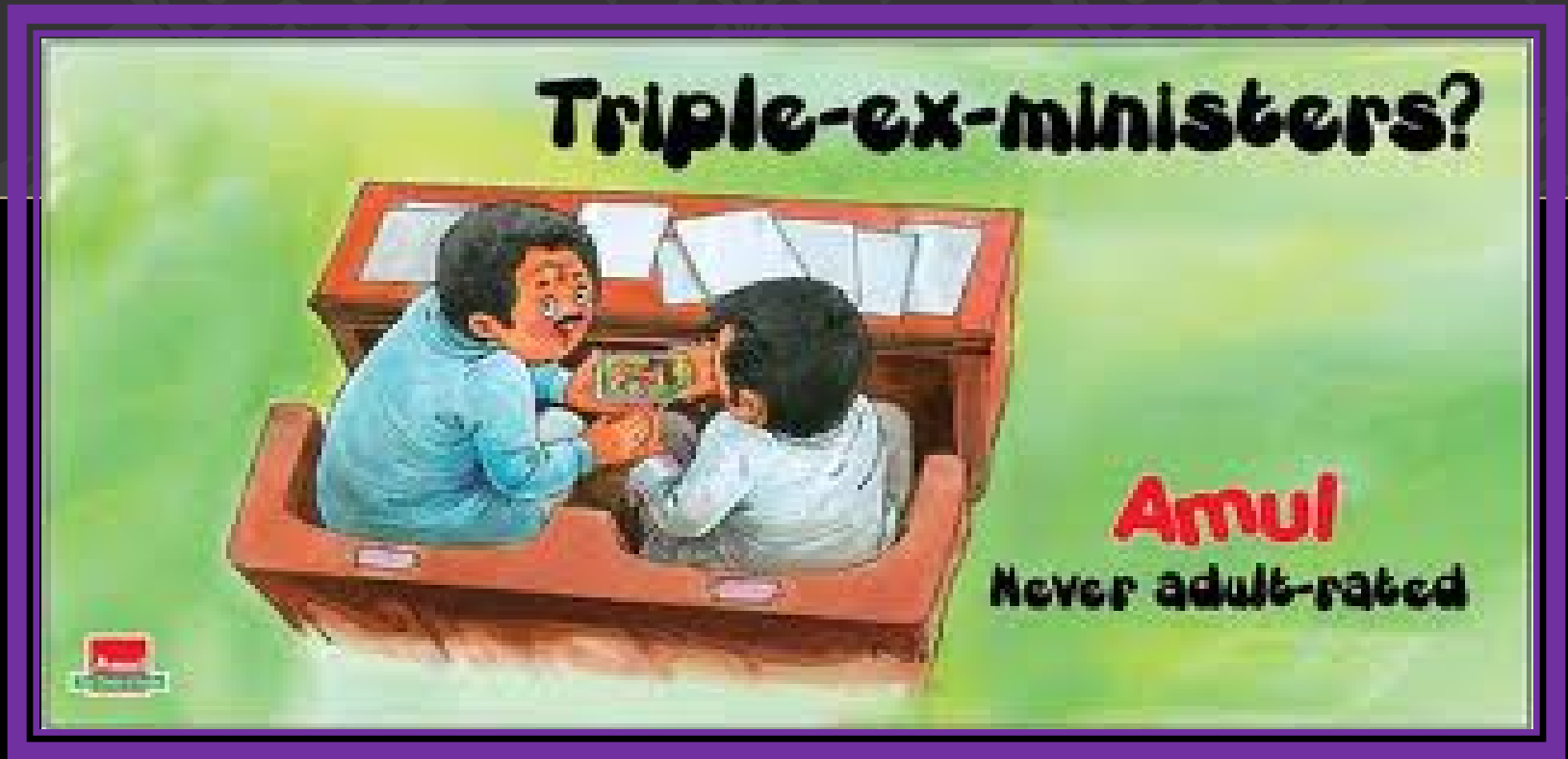
- Das, J., “*social interest in individual liberty may well have to be subordinated to other greater social interests.*” *AK Gopalan v. State of Madras*, AIR 1950 SC 27.
- Sections 292 and 293 of the Indian Penal Code deal with obscenity. They were added in accordance with the resolution passed by the International Convention for the Suppression and Circulation of and Traffic in Obscene Publications signed at Geneva on 12 September 1923

# What is Objectionable?

## Obscenity and pornography

Richard A. Spinello observes, Internet its remarkable growth *"is not without its social costs"*.





The three ministers, Laxman Savadi, C. C. Patil and J. Krishna Palemar, caught on camera viewing obscene clips on the floor of Karnataka legislative Assembly could face jail and one of them even a non-bailable arrest-warrant. As the law stands today Mr. Savadi and Patil **can be booked under Section 292 of IPC for public exhibition, etc.**, of an obscene object. The third minister J. Krishna Palemar, who was in possession of the mobile phone, could face a non-bailable warrant if a complaint is registered against him. Palemar can be convicted with **imprisonment up to five years and penalty up to Rs 5 lakh under IT Act**

**INDIAN TEST OF OBSCENITY**  
**RANJIT D. UDESHI V STATE OF MAHARASTRA (AIR 1965**  
**SC.P.881)**

The test of obscenity as laid down in **Hicklin's** case.

Whether the matter is likely to deprave or corrupt those whose minds open to such immoral influences-if the material suggests to the minds of the young or old, thoughts of most impure and libidinous character...It has to be decided on a case by case basis...

# DIFFERENCE BETWEEN OBSCENITY AND ONLINE OBJECTIONABLE CONTENT/PORN

A book or material shall be deemed to be obscene, if it is,-

- A) lascivious
- B) appeals to the prurient interest
- C) tends to deprave or corrupt persons  
who are likely to read, see or hear the material.

## Defences

- A) The publication of which is proved for the public good (sex education) or in the interest of science, literature, art or learning.
- B) If it is used for bonafide religious purpose.
- C) Scriptures, engravings or paintings located in Ancient monuments or Archeological sites.
- D) Materials in temples, temple cars or kept of religious purpose.

# IS PORN A FORM OF SPEECH AND EXPRESSION

- A) Even though Art:19 (1) (a) guarantees freedom of expression, existing laws like sec 292 IPC, imposing reasonable restriction in the interests of public decency and morality.
- B) Obscenity means something which is offensive to modesty or decency, lewd, filthy and repulsive.



***DIFFERENCE BETWEEN OBSCENITY AND PORNOGRAPHY:***

**RANJIT D. UDESHI V STATE OF MAHARASTRA (AIR 1965  
SC.P.881)(CONTD)**

The later is intended to arouse sexual desire and the former do not intend to do so, but may have that tendency.

Pornography is more aggravated form of obscenity.

**RANJIT D. UDESHI V STATE OF MAHARASTRA (AIR  
1965 SC.P.881)(CONTD)**

D) Prosecution need not prove knowledge on the part of the accused.

E) If the sale of obscene book is proved (Actus Rea), the prosecution need not prove Mens Rea or intention by positive evidence. The law against obscenity imposes strict criminal responsibility.

Whereas Sec 67A and B emphasize on Intention of the accused.

# CHILD PORNOGRAPHY

Child pornography is identified as a heinous crime that may operate as a gate to further crimes, like sex tourism and sexual abuse, aside from being a record of a sexual assault on a child

There is a steady rise in the number of child pornography cases registered and arrests in India. According to minister of state for home M Ramachandran as told to Lok Sabha, across India, the number of cases stood at 99 in 2007, 105 in 2008 and 139 in 2009 study conducted on child abuse by the Ministry of Women and Child Development, 30.22% of children surveyed reported they had been exposed to dirty pictures.

INTERPOL has cited Germany as one of the major producers of child pornography, with the Netherlands and the United Kingdom as the major distribution centres. United States is one of the largest markets of demand for child pornography

Ninety-four of 187 [Interpol](#) member states had laws specifically addressing child pornography as of 2008

67B (2008) amendment



# WHAT CONSTITUTES OBSCENITY IN ELECTRONIC FORM?

- Section 67 of the IT Act is the most serious Indian law penalizing cyber pornography.
- Lascivious is something that tends to excite lust.
- Appeals to, in this context, means “arouses interest”.
- Prurient interest is characterized by lustful thoughts.
- Effect means to produce or cause.
- Tend to deprave and corrupt in the context of this section means “to lead someone to become morally bad”.
- Persons here refers to natural persons (men, women, children)
- and not artificial persons (such as companies, societies etc).

# TO UNDERSTAND....

- it must tend to excite lust, or
- it must arouse interest in lustful thoughts, or
- it must cause a person to become morally bad.
- Sameer launches a website that contains information on sex education. The website is targeted at higher secondary school students. Pooja is one such student who is browsing the said website. Her illiterate young maid servant happens to see some explicit photographs on the website and is filled with lustful thoughts

# DEFAMATION (ELECTRONIC FORM)

- Publishes means “to make known to others”.
- Sameer has just hosted a website containing his articles written in English.
- Sameer has not published the articles.
- An automated software released by an Internet search engine indexes Sameer’s website.
- Sameer has still not published the articles.
- A Chinese man, who does not understand a word of English, accidentally visits Sameer’s website.
- Sameer has still not published the articles.
- Pooja, who understands English, visits Sameer’s website and reads some of his articles.
- Now, Sameer has published his articles.





- Transmits means to pass along, convey or spread. It is not necessary that the “transmitter” actually understands the information being transmitted.
- Sameer has just hosted a website containing his articles. Pooja uses an Internet connection provided by Noodle Ltd to visit Sameer’s website. Noodle Ltd has transmitted Sameer’s articles to Pooja. However, Noodle employees are not actually aware of the information being transmitted by their computers.



## AVNISH BAJAJ VS. STATE (N.C.T.) OF DELHI

- An obscene MMS clipping was listed for sale on Baazee.com on 27th November, 2004 in the name of “DPS Girl having fun”.
- Whether it amounts to publication?
- actual recording was not viewable on the website.
- The Item's description "DPS Girl having fun" should have raised alarm.
- Avnish Bajaj is the CEO of Baazee.com, a customer-to-customer website, which facilitates the online sale of property. Baazee.com receives commission from such sales and also generates revenue from advertisements carried on its web pages.



# PUBLISHING CYBER PORNOGRAPHY (SUMMARY)

- Actions covered Publishing
- Penalty First offence:
  - transmitting cyber pornography causing to be published
  - Simple or rigorous imprisonment up to 5 years and fine up to Rs 1 lakh
- Subsequent offence.
  - Simple or rigorous imprisonment up to 10 years and fine up to Rs 2 lakh
  - Court of Session
  - High Court
  - 1. Controller of Certifying Authorities (CCA)
  - 2. Person authorised by CCA
  - 3. Police Officer not below the rank of Deputy Superintendent
- Relevant authority
- Appeal lies to
- Investigation Authorities

# FREEDOM OF SPEECH AND EXPRESSION???????

## WHOSE FREEDOM AND WHAT IS EXPRESSED

✓ A civil rights ordinance, as opposed to a zoning ordinance, would **allow the victims of pornography to sue the makers and distributors of that pornography**, to obtain injunctions to stop the sale and distribution of pornography made of them and damages. The ordinance was the first attempt to regulate pornography as an issue of sex discrimination.

✓ The **Minneapolis ordinance was enacted but vetoed by the then Mayor. In 1984, Indianapolis passed a similar ordinance as legislation.** It was later held to be **unconstitutional** because it was deemed to be a violation of the **right to freedom of speech**, protected by the First Amendment to the *United States Constitution*.



# PORNOGRAPHY V. CONSTITUTION OF U.S

- ✓ the Communication Decency Act, (CDA)
- ✓ the Child Pornography Prevention Act, 1996. (CPP)
- ✓ the Child Online Protection Act 1998 (COPA) and
- ✓ The Children Internet Protection Act, (CIPA) 2000
- ✓ Prosecutorial Remedies and other tools to end exploitation of Children Today (PROTECT ACT) of 2003.

In 1997, the U.S. Supreme Court struck down the **Communications Decency Act (CDA)**.

Congress responded by passing the Child Online Protection Act (COPA) to correct the constitutional defects in the CDA.

The Supreme Court found that COPA likely violated the First Amendment because the government had not meet its burden of proof in showing that less restrictive alternatives (especially filters) would be less effective.' °

**The United States has been unable to respond appropriately and provide a model for the rest of the globe for an intelligent balance of safety and privacy, adult and child use**

## RANJIT CASE: ART OR OBSCENE?

*Ranjit D Udeshi v. State of Maharashtra*, AIR 1965 SC 881.

Charged u/s 292 IPC [1] for certain obscene passages in *Lady Chatterley's Lover*.

Mr Mulk Raj Anand, a writer and art critic, was witness, who presented a detailed analysis of the novel and opined that the novel was a classic work of considerable literary merit and not obscene..





## TEST

(2) "The test to adopt in India is that obscenity without a preponderating social purpose or profit cannot have the constitutional protection of free speech and expression, and obscenity is treatment of sex in a manner appealing to the carnal sides of human nature, or having that tendency."



## TEST OF OBSCENITY

(3) The law seeks to protect not those who can protect themselves but those whose prurient minds take delight and secret sexual pleasure from erotic writings. No doubt this is treatment of sex by an artist and hence there is some poetry even in the ugliness of sex.



## SOCIAL OR MORAL MESSAGE

*Ranjit D Udeshi* v. State of Maharashtra, AIR 1965 SC 881. In this case it was further laid down that a work is *per se* not obscene if it contains some social or moral message.



## HICKLIN NOT VALID

Hicklin test was retained till 1954 in UK. A mass of literature may be wholly unreadable to adolescent but that does not mean that a publisher is guilty of a criminal offence for making them available to general public. Hicklin is rejected in US, Ulysses case: whether to average person, the theme as a whole appeals to prurient interest?



## TEST IN INDIA

It is obscene if it is, Lascivious, appeals to prurient interest, if its effect as a whole, tend to deprave and corrupt persons Intention of writer is important: Judge should place himself in writers shoes and adjudge Vulgarity, Nudity may not be obscene



## FILM MEDIUM

Raj Kapoor v State-  
satyam sivam sundaram:  
Indecent Representation  
of Women Act 1986,  
Communication  
Decency Act USA





## BANDIT QUEEN- SEEMA BISWAS



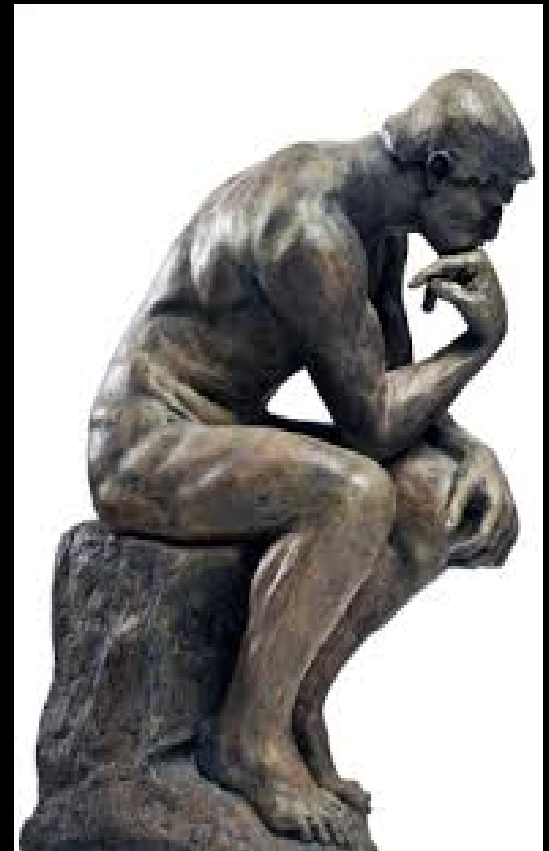
## BOBBY ART INTERNATIONAL

This was applied in *Bobby Art International v. Om Pal Singh Hoon*, AIR 1996 SC 1846. This case related to the showing of rape scenes in the movie 'Bandit Queen'. **The courts held that nakedness does not always arouse carnal passions and the intent of the producer was to arouse sympathy from the viewer.** The film focused on social evils and thus was held not to be obscene.



## SCULPTURE NOT OBSCENITY

Representation sculptured, engraved, painted or otherwise represented in any ancient monument, or temple or any car used for carrying idols or used for religious purposes. (Exception to 292 IPC) 293 Selling Obscene things. Such things can be forfeited by the Govt under CrPC.



## CASES

*Sukanta Halder v. The State* AIR 1952 Cal. 214  
whether a defense of social good is available  
to an offence of obscenity?

‘Nara Nari’ magazine had been thought to be obscene. Publisher claimed: ‘the science of sex’ and not sex with the intent of arousal. Court found plea was merely a trick to escape censure while increasing the circulation. Relied upon the *Hicklin* test but modified it. “the tests to be applied to determining whether a particular object is obscene or not would depend on various circumstances. The idea as to what is obscene has varied from age to age, from region to region, dependant upon particular social conditions.



## TEST IN SUKANTA HALDAR

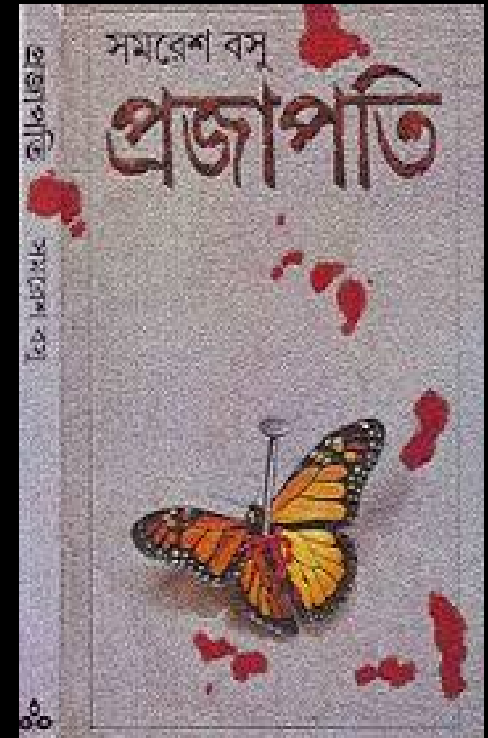
There cannot be an immutable standard of social values... The truth is not to find out what depraves the morals in any way whatsoever, but what leads to deprave in one way which is by exciting sexual desires and lascivious thoughts. The effect produced on an ordinary member of society or a particular class of readers for which a particular publication may be meant has to be ascertained. It is neither a man of wide culture or rare character nor a person of a depraved mentality who should be thought of as being the readers of such literature.



## SAMERESH BOSE CASE

Whether **vulgarity is also obscenity?**  
*Samaresh Bose v. Amal Mitra* AIR 1986 SC 967.

Bengali novelist accused of obscenity though no blatant references to sex in his book *Prajapat*. The Supreme Court held the novel to be vulgar and not obscene and stated “vulgarity arouses a feeling of disgust and revulsion and also boredom but does not have the same effect of depraving, debasing, and corrupting the morals of any reader of the novel, whereas obscenity has that tendency.”



## PRATIBHA NAITTHANI V UOI

AIR 2006 (Bom) 259: aggrieved by the telecast of “adult and obscene films shown by the electronic media” and “obscene photographs” in the print media, filed a WP before Bombay HC held TV channels were violative of the programme code under the Cable TV Network Act and the Cable TV Network Rules. issued a number of orders while hearing the case.



## DIRECTIONS OF DIVISION BENCH

Dec 8, 2004 court restrained newspapers from publishing any advertisements that amounted to invitation to prostitution; which had a sexual overtone; or which violated Section 3 of the Indecent Representation of Women (Prohibition) Act, 1986. Dec 1, 2004 and Jan 12, 2005, DB said: absolutely imperative for the Central Government to issue appropriate guidelines regarding downlinking.





## ISSUE

Whether TV channels are free to telecast CBFC certified adult films despite the restriction in Clause (o) of Rule 6(1) of the Cinematograph Act Rules that no programme shall be carried on the cable service which is “unsuitable for unrestricted public exhibition”?



## RIGHT TO WATCH ADULT CONTENT

The court held that the adult viewer's right to view films with adult content is not taken away by Clause (o) of Rule 6(1). "Such a viewer can always view Adult certified films in cinema halls. He can also view such films on his private TV set by means of DVD, VCD or such other mode for which no restriction exists in law."



## NO VIOLATION OF RIGHT

Held restriction upon cable operators and cable service providers that no programme should be transmitted that is not suitable for unrestricted public exhibition did not violate **their right to carry on trade and business. only films sanctioned by the CBFC, under Act and Rules, as suitable for "unrestricted public exhibition"** could be telecast or transmitted on cable TV.



## WHAT NOT TO REPORT? INDECENT REPRESENTATION OF WOMEN (PROHIBITION) ACT 1986

Indecent Representation of women (prohibition) Act, 1986, prohibits indecent or obscene representation of ads and material or photos.

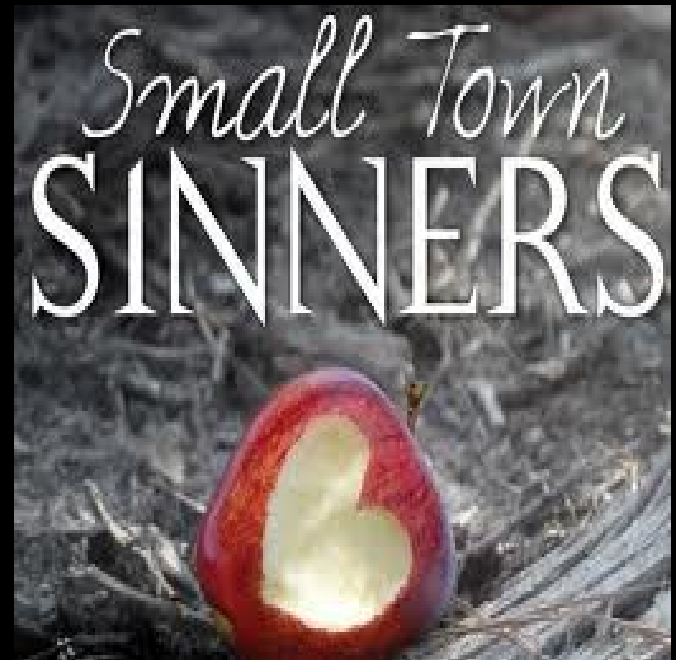
Indecent representation means depiction in any manner of figure of a woman, her form or body or any part thereof in such a way as to have the effect of being indecent, or **derogatory to, or denigrating, women or is likely to deprave**, corrupt or injure the public morality or morals.

## SECTION 3 OFFENCE

No person shall publish, or cause to publish or arrange or take part in publication or exhibition of any advertisement which contains indecent representation of women in form,

## BOOKS ETC

No person shall produce or cause to produced, sell, let to hire, distribute, circulate or send by post any book, pamphlet, paper, slide, film, writing, drawing, painting, photograph, representation or figure which contain indecent representation of women in any form



## EXCEPTION

For public good in interest of science, art, or learning, or other objects of general concern or Which is kept or used for religious purposes; Sculptured, engraved, painted or otherwise represented in ancient monuments, any temple.



## POWER TO SEARCH AND SEIZE

- Any Gazetted officer authorized by State can enter, inspect, seize material containing indecent representation of women.
- No entry in private dwelling house without warrant.
- Penalty for offences under SS 3,4, 2 yrs jail plus 1000 for first, up to 5 yrs and one lakh for second and subsequent offences.





## OBSCENITY & INDECENT REPRESENTATION OF WOMEN

Encouraging some one to engage in a crime is an offence, for procuring obscene object is an offence 292 imprisonment and fine, Indian Penal Code

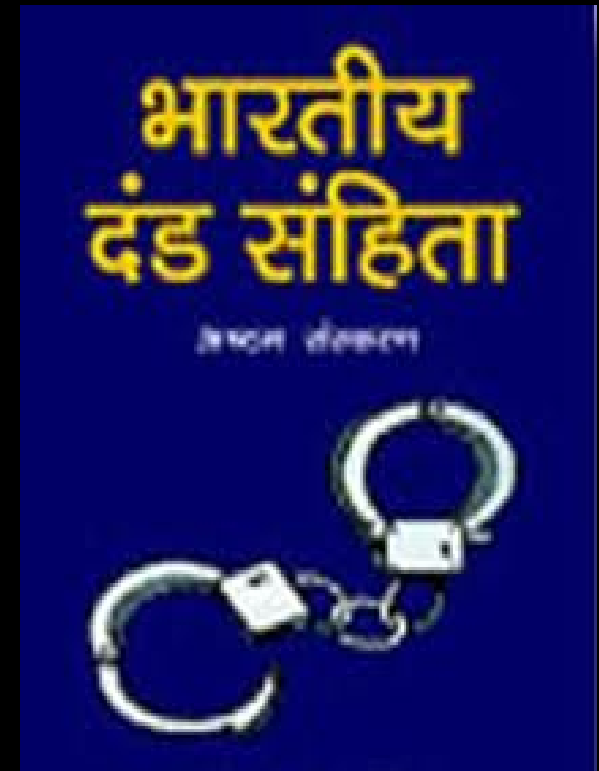
Procuring, distributing, communicating and publishing obscene objects or writings is an offence.



## IPC

Young Persons (Harmful Publications) Act 1956, publishing harmful material is an offence

S 293 prohibits sale, hire, distribution, exhibition or circulation or attempt is offence. *Ranjit D Udeshi v Maharashtra*, AIR 1965 SC 881, Obscenity defined.



## CONTROVERSIAL TUFFS SHOE AD

Model Madhu Sapre faced a trial for charges of obscenity and indecent representation of women, along with Milind Soman. A photograph of the Tuff shoes advertisement, in which Sapre had posed nude with Soman, had appeared with a news item in a newspaper on July 23, 1995, sparking off protests.



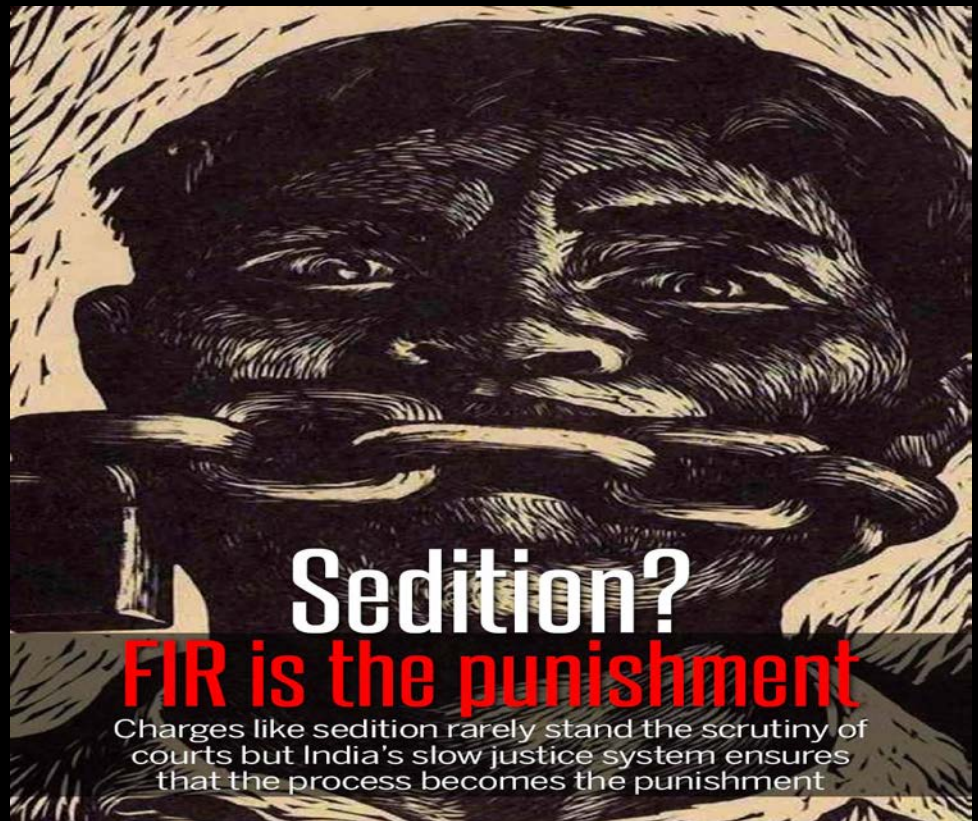
CONTD,

After nearly fourteen years the case against these models have been dismissed by saying that what is obscene for someone may not be the same for another: Court.

Obscenity is subjective according to the court that acquitted models Milind Soman, Madhu Sapre and six others in the obscenity case over the Tuff shoes advertisement in 1995.

While dismissing the case , The additional chief metropolitan magistrate said it was impossible to refer the tuff shoes ad as obscenity as it was not an incentive to sensuality and nor did it bring “impure thoughts”

# 124A SEDITION



## PRESS & IPC

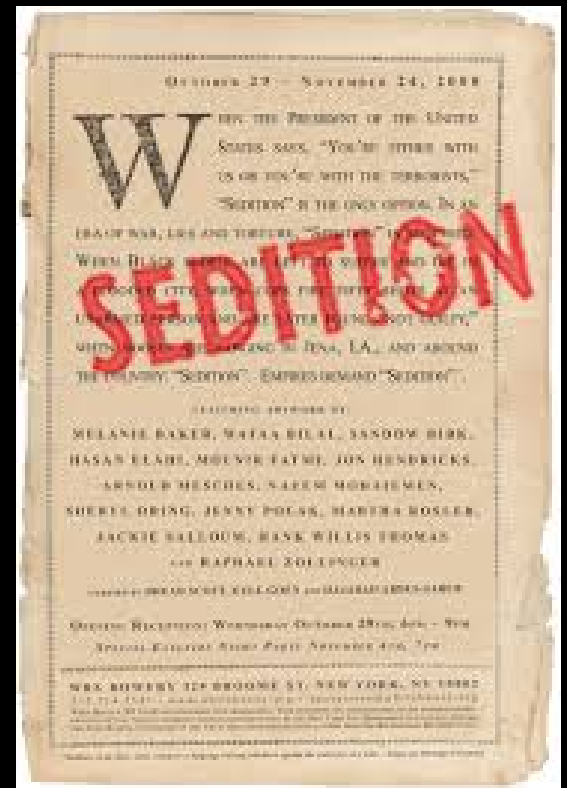
124A      Sedition:      Spreading disaffection (disloyalty and all feelings of enmity) by words or writings against Govt estd by law-punishment      life      imp+fine. Disapproving the measures of Govt is not disaffection.

Not connected with violence, presuppose disaffection, calculated to disturb the tranquility of state by words or deeds leading innocents to subvert the laws or govt in the country.



# THE LAW

- Indian law of sedition is contained in Sections 124A political offence,
- 153A Seditious by class hatred and
- 295 Seditious by promoting religious insult Seditious caused by questioning territorial integrity according to Section 2 Criminal Law Amendment Act, 1961



## WHAT AMOUNTS TO SEDITION? JUDICIAL INTERPRETATION

Justice BS Khan, former Chief Justice of Jammu and Kashmir High Court, also shares the same views. “The sedition charge does not fit in this case and it falls flat in the court because merely raising slogans, even against the country or the state, cannot amount to sedition unless followed by any act or incitement of violence or public disorder,” he said, adding that there have been several judgements of the apex court on the issue.



## JNU CONTROVERSY



“The slogans which were seen in the footage were anti-national, anti-constitutional, against the organs of the government and against the integrity of the nation. So much so, some of the students were shouting slogans as Pakistan Zindabad repeatedly.

## BINAYAK SENS CASE



Majlis-e-Ittehadul Muslimeen  
MLA Akbaruddin Owaisi was  
slapped with the charge of  
sedition by the district police of  
Karimnagar, for the purported  
hate speech he delivered at  
Nirmal on 22 December 2013.  
He was booked under Sections  
124 A, 120 B, 295 A, 188 and  
505 of IPC.



## SPANDANA

AUGUST 23, 2016

A sedition case was filed against actor-turned-politician Divya Spandana, on Tuesday, for praising the people of Pakistan and their hospitality. Outraged by her remarks a lawyer in Karnataka has filed a case of sedition on Spandana also known as Ramya.



## TENDENCY OF DISORDER

Not an offence against public order, but gist is 'tendency of public disorder. Citizen can criticise without inciting to violence. Liability of writer or printer is rebuttable presumption, essence of this crime is intention Tilak Case Bangbasi, British India Govt is thoroughly dishonest, throw out violently considered to be seditious in 1941



## MAO-TSE-TUNG

Book 'Extracts from Mao-Tse-Tung' was forfeited by Gujrat Government as seditious Gujrat HC said to condemn it was closing the doors of knowledge (Manubhai Tribhuvan Das v State. Six out of 184 passages were removed and order reversed. This continues to be a threat to media's freedom.





## HATE SPEECH

153A Promoting enmity between different groups on grounds of religion, race, place of birth, residence, language and doing acts prejudicial to maintenance of harmony. 3yrs

By words or signs or by visible representations

By committing act prejudicial to harmony

Organising movement, drill, to use violence

Committing this offence at place of worship 5yrs



## PREJUDICIAL TO INTEGRATION

153B Imputations assertions prejudicial to national integration- 3yrs + fine.

Making an imputation that some do not bear true faith to Indian Constitution

Asserts or propagates that some be denied of their rights as citizens of India

Making assertions to cause disharmony or hatredness

Committing this offence at place of worship, 5 yrs



Image Instagrammed by deepikapiku



## STATEMENTS OF MISCHIEF

Publishing statement,  
remour or report

With intent to cause soldier  
to mutiny

With intent to cause fear or  
alarm to public inducing  
them to commit an offence  
against the state or against  
public tranquility

With intent to cause one  
community to commit  
offences against another  
community, etc S 505

tribune.com.pk/story/590123/pakistan-independence-day-live-updates/

asmakhan pathan  
@PathanAsmakhan

भारतों!  
किस मुंह से आखिर मांगते हो वोट?  
ये तस्वीर है आसाम में बांग्लादेशी मुस्लीमों द्वारा किये गए  
प्रदर्शन की... [pic.twitter.com/YUgff4MDOu](https://pic.twitter.com/YUgff4MDOu)

**LIES**

129  
RETWEETS

29  
FAVORITES

10:41 AM - 20 Nov 13

**TRUTH**

www.truthofgujarat.com TruthOfGujarat TruthOfGujarat

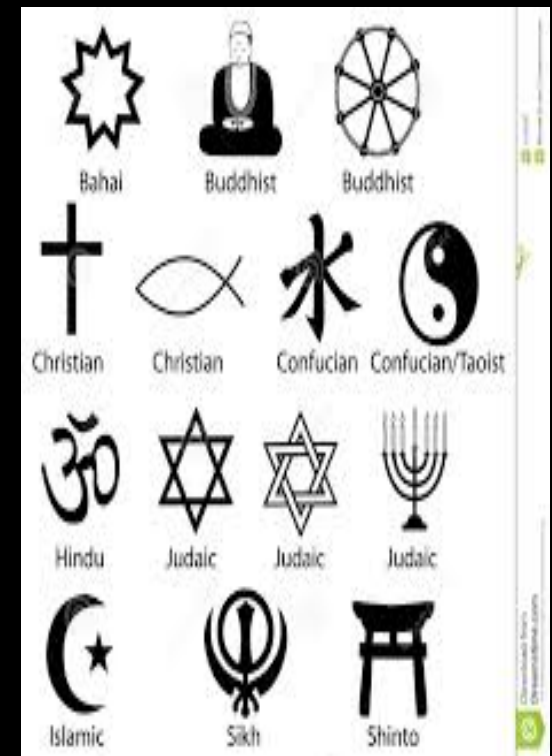
Supporters of Pakistan's outlawed Islamic hardline Jamaatud Dawat (JuD) torch Indian flags. PHOTO: AFP

## OFFENCES AGAINST RELIGION

Injuring or defiling place of worship with intent to insult the religion- 2 yr + fine s 295,

Malicious acts to outrage religious feelings, 3 yrs and fine, S 295A

Uttering words etc with intent to wound religious feelings, 1 yr + fine, s 298



## OFFENCES RELATING TO RELIGION

### **Sec.295:-**

Deliberate malicious acts intended to outrage religious feelings or insulting religion or religious beliefs. Punishment three years/fine or both. Sanction under sec 196 CRPC by District Magistrate is necessary. (Ramjilal Modi V State of U.P (SCR-1957 p-860)).

## MEDIA MURDER

Diana, Princess of Wales, died at age 36 in a car crash in the Pont de l'Alma tunnel in Paris on the night of August 31, 1997. The driver of the car, a Frenchman named Henri Paul, was drunk and driving erratically to outfox a gaggle of paparazzi who were in pursuit of the vehicle.



Dodi Al Fayed looks over Princess Diana's shoulder just minutes before the two of them will die in a Paris tunnel.

A decorative floral pattern in a dark grey color, featuring stylized leaves and scrolls, is positioned at the top of the slide.

MEDIA TRIAL ?  
MEDIA JUDGMENT ?  
MEDIA PUNISHMENT  
?



## CONCERNS

### Right to Fair trial

It completely overlooks the vital gap between an accused and a convict keeping at stake the golden principles of *'presumption of innocence until proven guilty'* and *'guilt beyond reasonable doubt'*

A person is presumed to be innocent unless he is held guilty by the competent court, but here the trend is to declare a person guilty right at the time of arrest. The media is there to report facts or news and raise public issues; it is not there to pass judgments.



TRP RATINGS: Earlier, journalism was not under pressure to push up TRP ratings or sales. So the journalists did their work with serious intent and conviction, with courage and integrity highlighting the *sub-judice issues into public* keeping at stake the sanctity of judicial procedures Interference with '*right to life with dignity*' of *accused* and suspects. The media trial → media verdict → media punishment Is it an illegitimate use of freedom and transgressing the prudent demarcation?



## GOOGLE NEWS....TAJ HOTEL





# SHIVANI BHATNAGAR'S MURDER CASE



# Ram Jethmlani – Villain – CNN-IBN



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## **POLICE HAVE NO CLUE'. POLICE UNDER PRESSURE**



# MATTOO



## WHAT NOT TO REPORT?

Rape victims identity shall not be disclosed

Cases reported under obscenity law – victim;s identity

The new JJ lAw, the identity of the juvenile shall be protected.



18:01

INDIA  
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**newsALERT** साउथ अफ्रीका का आठवां विकेट गिरा

कैम्प 64 रन बनाकर आउट, साउथ अफ्रीका की भिड़ंत पाकिस्तान से