



AN EXTENTIVE EXAMINATION OF THE LEGAL RAMIFICATIONS AND SOCIAL IMPACT OF SOCIAL MEDIA TRIALS IN INDIA

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Abstract:-

This study examines the emergence of "social media trials" in India and their significant effects on the media environment, the legal system, and public perceptions of justice. The lines separating public opinion, media coverage, and the legal system are becoming increasingly blurred in India as a result of the extensive use of social media platforms and the rise of virtual trials held online.

The paper covers key cases of social media trials in India, such as the Nirbhaya case and the Aarushi Talwar murder case, assessing their legal and societal repercussions. It explores the moral issues surrounding trial by public opinion and looks at how cyberbullying and online harassment affect the privacy and mental health of witnesses, victims, and the accused. The study also looks at the legal structure that governs social media trials, using the Indian Penal Code, the Information Technology Act, and the Contempt of Courts Act as a guide. In the context of social media trials, it draws attention to how these frameworks govern matters like defamation, hate speech, cyberbullying, and privacy violations.

It also examines the mutually beneficial interaction between social media and conventional media, highlighting the ways in which social media narratives go beyond the virtual world to impact coverage in traditional media. Investigating the societal repercussions of social media experiments, such as polarization and division, the study paper advocates for legislative changes to safeguard privacy, guarantee data security, and achieve a balance between freedom of expression and privacy in the digital era.

Keywords: Social Media Cases, Legal Consequences, Public Perceptions, Cyberbullying, Privacy Preservation

INTRODUCTION:-

The way individuals engage, communicate, and share information has changed significantly in recent years due to the widespread use of social media platforms. This digital revolution has also affected India, a country with a sizable and diversified population. A new and unique phenomena has emerged as a result of the

nation's extensive adoption of social media: "social media trials." The lines between public opinion, media coverage, and the legal system are becoming increasingly hazy as a result of these trials, which are held virtually through online platforms rather than traditional courtrooms.



The phrase "social media trials" describes situations in which people, frequently driven by intense feelings, publicly judge ongoing criminal cases, civil issues, and high-profile controversies on social media platforms. Public opinion's increase in online trials raises important concerns about how it may affect the Indian legal system, justice ideals, and accused people's rights. Examining the legal ramifications and societal effects of this digital phenomenon is crucial since social media's reach only grows.

This study aims to present a thorough examination of social media trials in India, highlighting their complex character and examining the intricate relationships that exist between social media discourse, the legal system, and society at large. We hope to learn more about this developing phenomena by exploring the legal framework governing these trials, closely analyzing seminal examples, and analyzing the impact of social media on media coverage and public perception of justice.

The presumption of innocence, the right to a fair trial, and the impartiality of the legal system are among the core concepts of justice that are being threatened by the rise in social media trials. One Long before a formal trial starts, the accused are frequently the target of public scrutiny and humiliation due to social media's ability to serve as a potent megaphone for the masses. We must take into account how online debates have the power to change public opinion and maybe affect court proceedings as we investigate how social media trials affect the legal system.

Furthermore, the dynamics at work are further complicated by the interplay between social media experiments and traditional media. To understand the wider ramifications on society's perceptions of justice, this is essential. By influencing public opinion and views of guilt or innocence, the mutually reinforcing interaction between these two information streams increases the effect and reach of social media trials. being aware of how social media

narratives affect coverage in traditional media by extending outside the virtual realm.

The ethical issues surrounding trial by public opinion are also examined in this study article, which also explores the social consequences of social media trials. In light of the repercussions of cyberbullying and online harassment, we investigate the impact on the privacy and mental health of the accused, witnesses, and victims. We also look into the function of anonymous accounts and the moral limits when it comes to their involvement in social media trials.

SOCIAL MEDIA TRIALS' INSTANCES:-

In countless instances, social media has influenced public opinion in one direction or another. The aforementioned examples explore the extent of social media's power and how it influences public opinion in relation to the administration of justice. As of September 2021, when I last updated my information, India had seen many cases of social media trials. Please be aware that the data below is based on occurrences up to September 2021 and may not be all-inclusive. It's possible that more recent incidents happened after this date. Here are a few noteworthy instances:

1. Nirbhaya Case (2012):

The vicious gang rape and killing of a young lady in Delhi in December 2012 provoked social media debates and countrywide protests. The case generated discussions about gender violence and the legal system and garnered a lot of media attention. Social media was crucial in influencing public opinion and putting pressure on decision-makers.

2. Asaram Bapu Case (2018):

Self-described "godman" A little girl was allegedly sexually assaulted by Asaram Bapu. Social media users shared their thoughts on the matter, including whether he was guilty or innocent. Debates concerning the trustworthiness of followers and the impact of spiritual leaders resulted from the conversations around this case.



3. Rhea Chakraborty and Sushant Singh Rajput Case (2020):

In June 2020, Bollywood star Sushant Singh Rajput passed away, causing a media frenzy and heated debates on social media. Actress Rhea Chakraborty, who was seeing Rajput, was the subject of public opinion trials and internet abuse. The case sparked discussions about media sensationalism and mental health awareness.

4. Kathua Rape Case (2022):

An eight-year-old girl was kidnapped, raped, and killed in Kathua, Jammu and Kashmir, in January 2018. The incident garnered a lot of media attention and social media attention. Outrage and conversations about women's and children's safety in India were sparked by the case.

5. Tablighi Jamaat Controversy (2020):

Social media was ablaze with conversations about the Tablighi Jamaat gathering that took place in Delhi in March 2020 during the COVID-19 epidemic. The incident turned into a divisive topic, and hate speech and false information directed at a particular religious group proliferated on social media.

Regulations and the legal framework:

Defamation, privacy, online content, freedom of expression, and the use of digital evidence in court all have an impact on the legal framework that governs social media trials in India. It is crucial to understand this legal context in order to fully analyze how social media trials affect the Indian legal system. Here are the primary elements of the legal system that may be covered in a research paper:

A. BHARATIYA NYAYA SANHITA, 2023 (OLD INDIAN PENAL CODE (IPC)):

1. In order to understand the legal implications and challenges brought about by the confluence of online platforms and the country's criminal justice system, it is necessary to evaluate the Bharatiya Nyaya Sanhita 2023, Old Indian Penal Code, 1860 (IPC), and social media trials in India. The relationships between

social media trials and several sections of the Bharatiya Nyaya Sanhita 2023, Old Indian Penal Code, are examined in detail below:

2. Defamation Section 356 Of B.N.S, 2023 (Old Section 499 and 500 IPC):

In social media cases, defamation charges are sometimes brought up when defendants are accused of creating false and derogatory statements about someone online. Section 356 of the B.N.S., 2023, which was formerly known as Section 499 of the IPC, defines defamation as the act of harming someone's reputation by publicizing or falsely accusing them. Spreading such false material on social media platforms might lead to legal action against the guilty.

3. Hate Speech, Section 196 and 197 Of B.N.S, 2023 (Old Section 153A and 153B, of IPC):

Social media platforms may be fertile ground for hate speech, which can incite violence or cultivate hostility between different groups based on factors like race, religion, or ethnicity. The B.N.S., 2023's Sections 196 and 197 (formerly Sections 153A and 153B of the IPC) prohibit encouraging such hatred and impose harsh punishments. Social media trials may lead to tensions and disturbances in the society when people are accused of spreading hate speech.

4. Obscenity section 294 and 295 of B.N.S, 2023 (old Section 292 and 293 IPC):

Prosecutions on social media may also include charges of obscenity for sharing offensive or obscene content. According to B.N.S., 2023, Sections 294 and 295 (formerly Sections 292 and 293), it is unlawful to sell or distribute pornographic content, including anything that may be accessed online. Social networking site users who publish inappropriate content run the danger of facing legal action under these regulations.

5. Cyberbullying and Online Harassment:

Social media trials usually feature cyberbullying and online harassment, when victims are targeted by online platforms for humiliation, threats, or abuse. Despite not being specifically addressed by the B.N.S. (Old IPC), cyberbullying may be covered by the regulations governing



criminal intimidation and harassment (Section 351).

6. Privacy Violation:

Social media trials may involve cases where the unwanted release of personal information or private photos has breached someone's privacy. Despite recognizing the right to privacy as a fundamental right, India does not have adequate data protection laws. However, in cases where privacy is infringed, the B. N. S. Sections 78 (stalking) (Old IPC's Sections 354D) and 79 (insulting a woman's modesty) (Old IPC's Sections 509) may be used.

7. Defamation of Religion (Section 299 of B.N.S) (Old IPC Section 295A IPC)

Since Section 299 of B.N.S. (Old Section 295A of the IPC) criminalizes willful and malicious behavior meant to incite religious sentiments, social media conversations that insult or harm religious beliefs may be subject to penalties.

8. Incitement to Violence (Section 353 of B.N.S) (Old Section 505 of IPC):

Social media trials may be used against individuals who are thought to have incited or encouraged violence through their comments or posts on the internet. Comments that instigate or promote public mischief are covered by Section 505 of the Old IPC and Section 353 of the B.N.S.

B. INFORMATION TECHNOLOGY ACT, 2000 (IT Act):-

The Information Technology Act, 2000 (IT Act), which covers a number of topics related to electronic communication, data security, and cybercrimes, has a substantial intersection with social media trials in India. The IT Act is essential for controlling online conduct and social media platforms, particularly when it comes to the sharing of user-generated material and information.

The following examines the ways in which the requirements of the Information Technology Act of 2000 impact social media trials:

1. Safe Harbor Provision (Section 79):

Social media platforms and other intermediaries are granted a "safe harbor" under Section 79 of the Information Technology Act. This provision exempts intermediaries from liability if they just act as middlemen in the transmission, hosting, or publication of user-generated content. Nonetheless, they have to follow the due diligence requirements specified in the IT (Intermediary Guidelines and Digital Media Ethics Code) Rules for 2021. The issue of social media platforms' accountability for user-posted content is frequently brought up in social media litigation. Section 79 offers a legal framework for evaluating the level of responsibility and accountability of these platforms.

2. Removal of Unlawful Content (Section 69A):

The government can order the blocking or removal of online content that it deems illegal, including anything that could incite violence, disrupt public order, or endanger national security, under Section 69A of the IT Act. Trials on social media may inspire authorities to take action against certain content, which might result in demands for content removal or temporary account bans.

3. Cyber Defamation (Section 66A - Struck Down):

The consequences for sending inflammatory remarks via communication services were addressed by Section 66A of the IT Act, which was invalidated by the Supreme Court of India in 2015. This provision was controversial and widely condemned for potentially being misused to restrict free speech before it was removed. Cyber defamation charges and other social media prosecutions were commonly filed under Section 66A prior to its illegality.

4. Identity Theft and Impersonation (Section 66C and 66D):

The IT Act's Sections 66C and 66D, respectively, deal with crimes pertaining to impersonation and identity theft. Social media trials may



feature instances in which someone post abusive or defamatory information via fictitious accounts or by impersonating others. Legal action against such fraudulent actions is made possible by these regulations.

5. **Punishment for Sending Offensive Messages (Section 67):**

The IT Act's Section 67 addresses the penalties for disseminating or publishing pornographic content online. Legal action under this section may result from social media cases in which users are accused of posting offensive or explicit content on internet networks.

6. **Digital Evidence (Section 65B):**

The admissibility of electronic documents as evidence in court proceedings is covered by Section 65B of the Indian Evidence Act, which was added by amending the IT Act. Digital evidence, including social media postings, conversations, or multimedia information, is frequently used in social media cases. In order to guarantee the validity and dependability of such digital evidence, admissibility requirements under Section 65B are essential.

C. RIGHT TO PRIVACY:

In India, social media cases frequently touch on the right to privacy, which the Supreme Court of India has deemed to be a fundamental right. Article 21 of the Indian Constitution guarantees the right to privacy, which has been upheld in significant rulings including the Puttaswamy case in 2017. The privacy of those participating in court proceedings may be seriously jeopardized by social media trials. This is an examination of the connection between social media trials and Indian citizens' right to privacy.

MEDIA AND SOCIETY:-

In India, the mutually beneficial link between social media trials and traditional media is an important factor that influences public opinion and information sharing throughout court cases. The interplay between these two information sources is crucial in enhancing the impact of social media trials and affecting how

the general public views justice. A study on social media trials in India must examine this mutually beneficial connection.

SOCIETAL IMPACT AND ETHICAL CONSIDERATIONS:-

Social media platforms have become virtual courts of public opinion, thus it is important to carefully evaluate the psychological and social effects of these trials. A research paper about social media trials in India must look at how they affect society, which is an important aspect that extends beyond the legal domain and has a significant impact on people, communities, and society at large.

CONCLUSION & SUGGESTIONS:-

In conclusion, the Supreme Court has emphasized that people's right to know is the core tenet of press freedom. The phenomena of social media trials in India illustrate the intricate relationship between the traditional sphere of delivering justice and the virtual world of social media. The impact of these cases on the Indian judicial system and society at large is indisputable, given the ongoing influence of social media on public opinion. Media trials, especially social media trials, frequently cause prejudice in the public's mind, leading to preconceived notions or opinions; anything that contradicts these leads to doubts about the legitimacy of the legal system. Ultimately, the judiciary is subject to a great deal of criticism and blowback, frequently going beyond the bounds of acceptable speech and decency. Judges are frequently put in front of the public opinion canon while cases are sub-judice, which makes it challenging for them to remain impartial and render decisions based on the merits of the case. Social media trials are initially unavoidable and unstoppable; the only thing that can be done is to properly regulate them. Enhancing India's laws pertaining to social media trials necessitates giving serious thought to the difficulties presented by the digital era while preserving individual liberties, freedom of speech, and the integrity of the legal system.



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