

News

The public should not interpret judges' oral statements during live-streamed sessions as the final decision, Justice AS Oka warns.



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Justice Abhay Oka, a former Supreme Court justice, issued a warning on Wednesday that live coverage of court hearings sometimes presents justices' initial thoughts as final opinions, which could deceive the public.

During the book's premiere, "[In] Complete Justice? At 75', Justice Oka, who was edited by former Chief Justice S Muralidhar of the Orissa High Court, stated that judges occasionally

use forceful language during hearings merely to put attorneys to the test and extract their strongest arguments.

Personally, I became skilled at disregarding what the media says. However, because of live-tweeting, the judge's remarks are seen as the final ruling. Confusion arises a few days later when the verdict is rendered in the opposite direction," he said.

Even "highly educated" laypeople can be influenced by rapid social media opinion, Justice Oka emphasized, even though members of the legal community are aware of the procedure.

He used the 2015 NJAC ruling from the Supreme Court as an example, raising concerns about how TV networks started analyzing the ruling practically as soon as it was handed down.

The NJAC ruling was about a thousand pages long. I asked a television host: "Within minutes of this judgment being uploaded, you began to analyze it." In ten minutes, how could you read a 1,000-page ruling? In contrast to the more cautious approach taken by previous generations of court reporters, Justice Oka remembered.

Manisha Pande, managing editor of **NewsLaundry**, was moderating a panel discussion in which the former Supreme Court judge was taking part.

Professor Gopal Guru and Justice Muralidhar were his other panelists.

Justice Muralidhar continued the conversation by acknowledging the performative nature of contemporary courtrooms.

"This circumstance is unavoidable. Courts are performing spaces. He noted that judges and attorneys are aware of it and occasionally act for the audience.

However, he warned that the growing number of viral courtroom videos, which range from incisive judicial observations to moments of scolding, ran the risk of distorting public opinion.

According to Justice **Muralidhar**, "it is inevitable in a democratic space, but media must resist over-sensationalizing and place them in context."

Courts are performing spaces. Judges and attorneys are aware of it and are occasionally entertaining the public.

S. Muralidhar, Justice

Pande started the conversation by asking if India had gone far enough in defending press

freedom and protecting people from "trials by media."

Justice Muralidhar's response was clear-cut:

We haven't done enough, so it's obvious," he remarked.

He made the point that although the press is frequently the target of FIRs, defamation lawsuits, and even UAPA charges for their reporting, it may also turn into an organization with a prosecutorial bent.

He added that smaller independent media frequently wind up investing their resources in defending lawsuits in police stations, High Courts, and the Supreme Court.

The panel also talked about the growing use of copyright laws to suppress dissent. Pande brought attention to a recent instance in which a satirical website was shut down for utilizing TV snippets as memes.

It was satirical. It was a meme. She emphasized that courts need to adjust to new kinds of criticism, saying, "I think memes are the new cartoons."

Professor Gopal Guru offered a more comprehensive viewpoint by highlighting the press's structural constraints.

If you examine the political economy of the media, one of the concerns raised by the Constituent Assembly during the creation of the Constitution was that newspapers were mostly employed for commercial purposes. It was decided that freedom of speech did not include the right to display ads. Our jurisprudence no longer contains that kind of understanding," he stated.

Prof. Guru further remarked on the balance between judicial temperament and justice.

When a judge's anger is tempered by unwavering attention to justice, it is acceptable. Is it the case?