

DEFAMATION – DEPP – HEARD TRIAL

INTRODUCTION:

Defamation is also known as, "Character Assassination", people usually, politicians, people with money or fame, and popular celebrities often face the challenges of being defamed by the public in various ways. The move of aspersion is legally a misdeed, as it does affect the other person's reputation and intrinsic values of a person in the society. One of the major downsides of this Techno-Driven Living is that the Internet has been providing the unregulated ability for posting any kind of false information and unwanted declaration about a person and thereby ruining one's character, by the name of 'Trolls'.

JOHNNY DEPP DEFAMATION TRIAL

One man who had everything was Johnny Depp, the famous Hollywood star's character was broken like glass within a night after his former wife Amber Heard pushed on allegations of domestic abuse. With the Sun Magazine posting that Johnny had been a "Wife Beater", he lost his dignity. This Hollywood couple was married from 2015-to 2017. Both worked on a movie called "The Rum Diaries" 2009.

In 2016, Amber filed for divorce citing the fact on irreconcilable difference between both and the divorce was settled in 2017. Amber Heard then released a statement on being beaten by Johnny which was published by the British Tabloid, The Sun. Depp sued the magazine for 200,00 Euros in addition to legal fees for defamation. In 2018, Heard openly showed herself as a victim of domestic abuse in the Washington Post and implied that Johnny was the reason.

Johnny in 2019 sued Amber for defamation and The Sun magazine in 2020, Ultimately the High Court said that the allegations were substantially true, Johnny called the judgment "surreal and will fight for the truth".

Fast forward to 2022, Johnny on clearing the dirt in his name caused by Amber sued for a \$50 Million defamation trial which is happening as we are progressing.

DEFAMATION LAWS IN INDIA

Defamation in India is a crime under section 499 of the Indian Penal Code which says whoever by words either spoken with intention or by any kinds of visible representation that in order on publishing can harm the reputation of the person, in exception of cases where it is expected to be defamed. IPC also proposes punishment under section 500, where performing the act of defaming any can be punished with imprisonment for a term extending up to two years, or with a fine, or both.

The act of punishing defamation has been challenged and debated for many years, for depleting the fundamental rights of freedom of speech and expression under Art.19 that no person can be denied speaking for the public good. Section 499 of IPC acknowledges the exception to not consider any statements or publications as defamation, and one of the major exceptions is if the statement is professed in its utmost truth for the public good.

In the case of R. Rajagopal vs. State of Tamil Nadu 1995

The prisoner Auto Shankar, who was held for the act of murder and sentenced to death was writing a book about his life struggles, his personal life, and the acts of certain senior police officers who were involved in many illegal activities with him, during his time in prison. Before his sentence, he handed the book to his wife to get it published, as accepted by Tamil Magazine. Later on, The Inspector General after coming to know about the written book took it to the court referring to the facts in the book as being unfair and untrue, also stated that strict legal action will be taken if the book got published. The Tamil Magazine then filed a petition against the Inspector General of Prisons for preventing their Freedom of speech. S.C held that the Magazine had the right to publish the autobiography, it also proposed that the state cannot prevent it to be published but may sue the plaintiff later for defamation once published, as every person has the Right to publish His/her autobiography because of the Right to freedom of expression that they possess.

LIBEL, SLANDER, AND DEFAMATION

Often Libel, Slander, and Defamation are confused with each other having the same understanding among people. The law that handles both Libel and Slander is Defamation Law, as they are two types of defamatory statements. Libel is a defamatory statement that is written while Slander is an oral defamatory statement

CONCLUSION

Defamation is an act that does degrade a person's existence in society, Johnny Depp is not unique in losing many movie franchises and contracts, in the course of being a victim of defamation. The role of vilification of any person does violate their Right to live with dignity as the statements said against one will and privacy is a crime in force, that will have a lasting impression on the background of the person. A saying that goes, "Words have more impact than Action" is true in every possible way and people living in society do have the right to be protected under the Defamation Laws.

SYNOPSIS

1. Defamation is of two types, Libel and Slander, the first being a defamatory statement being written while, the latter being oral, in nature.
2. Indian Defamatory law pertains to both the Civil and Criminal Sector, where Civil mainly focuses on Compensation. Section 499 of IPC, defines the act of defamation, and Section 500 of IPC, provides the punishment.
3. The act of punishing defamation has been challenged and debated for many years, for depleting the fundamental rights of freedom of speech and expression under Art.19,
4. Exceptions of section 499, don't provide the portal of "Reasonable Restrictions", hence any person even in the context of speaking the truth can be sued.
5. Section 499 and 500 of IPC are constitutional as they find the balance between Article 21 of an individual and Article 19 of others.