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**ARTIFICIAL INTELLIGENCE INVOLVEMENT IN  
CRIMINAL TRIALS: LEGAL, ETHICAL, AND  
PROCEDURAL IMPLICATIONS**

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**DECLARATION**

I hereby declare that the dissertation, titled “Artificial Intelligence Involvement in Criminal Trials: Legal, Ethical, and Procedural Implications” is a record of original research work undertaken by me for the award of the degree of Bachelor of Law in BA LLB (Honours). I have completed this study under the supervision of Ms. Shivani Bainsla.

I also declare that this dissertation has not been submitted for the award of any degree, diploma, associateship, fellowship or other title. I hereby confirm the originality of the work and that there is no plagiarism or Ai in any part of the dissertation.

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**Faculty Supervisor Ms. SHIVANI BAINSLA**  
**Amity Law School, Noida.**

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## **INTRODUCTION**

The ways of enforcing laws, investigating and making decisions through traditional methods of police and crime management have changed significantly due to AI and its application to the justice and criminal system. AI technologies such as predictive policing, facial recognition technology, risk assessment, and automatic surveillance techniques are becoming common practices that are meant to increase efficiency and decision-making in the process. But as these tools get increasingly integrated, there arise many legal and constitutional challenges related to responsibility, justice, privacy, and transparency issues. The rights to privacy and to a fair trial could become victims of algorithmic bias and the exploitation of personal information.

AI applications are employed in various stages of the process of administration of criminal justice, from investigation to pretrial risk assessments. One such application is the prediction of criminal activities based on historic data using predictive policing systems, identifying hotspots for crimes. There have been some crucial issues surrounding the defense of fundamental rights like privacy and fair trial as a result of the use of AI in criminal justice processes. In most cases, it becomes difficult for those affected to provide any challenge to the decision-making due to the complex algorithms used.

Furthermore, debates on achieving equilibrium between personal freedom and national security have grown increasingly contentious owing to the deployment of AI-powered surveillance technology. AI surveillance tools enhance the safety of the public by enabling the tracking and identifying of suspects in real-time. However, such technologies can increase the invasiveness of state surveillance and information-gathering techniques. This requires an assessment of the existing laws regulating the use of AI in the criminal justice system. Current laws have loopholes and enforcement challenges as most jurisdictions do not have comprehensive laws governing the use of AI technology in law enforcement activities (Cath et al., 2018).

The utilization of AI technology in the field of law enforcement has been made possible through such systems ranging from traditional data storage systems to more complicated prediction techniques. Forensic and criminal data were stored using computer systems initially, but AI systems are now being employed for predictive policing, surveillance, and digital evidence processing due to advancements in machine learning and big data technologies.

In determining the nature and scope of application of AI in the criminal justice system, which includes prosecution, investigation, and decision-making. It must be determined carefully whether the use of AI is consistent with constitutional values such as the right to a fair hearing, the right to life and liberty, and natural justice. Using both primary and secondary sources, this study adopts a doctrinal and comparative approach. In conducting this study, there will be a comprehensive review of legal principles, statutes, and case laws relating to technology and criminal law. Through comparative analysis, this study aims to determine the manner in which different jurisdictions regulate and utilize AI in the criminal justice system.

### **Conceptual Framework**

There are different ways through which artificial intelligence can be used in the criminal justice system, which include: Predictive policing, that is, predicting the hotspots and crime patterns Risk assessment software in establishing the likelihood of reoffending Facial recognition software for identifying suspects Real-time monitoring of crime using computerised surveillance systems. Digital evidence analysis is a process where AI technologies are used to search for linkages, patterns and behavioral trends in large digital files such as telephone records, emails, and computer files generated during the course of an investigation. Such analysis helps investigators uncover information which may not be easily obtained from manual searches (Berk, 2021).

This theoretical framework, which is presented in the context of this research, provides a theoretical background that can be used to analyse the integration of artificial intelligence in criminal law. This combination of proven theories of law along with innovative techno-legal theories is required to test the compatibility of AI and criminal justice without undermining its fairness and accountability.

This segment critically discusses the integration of artificial intelligence in criminal justice through different theoretical perspectives, including due process theory, rule of law theory, legal positivism, and natural justice.

#### **Rule of Law Theory**

The essential characteristic of any democracy is the concept of rule of law. For equal distribution of power, responsibility, and transparency, it requires that everything done by the government must be in compliance with the law.

The introduction of AI in criminal proceedings raises ethical issues. First, there have been

instances where AI has been referred to as a "black box" because it has an opaque decision-making process. The requirement that decisions should be reasonable can be violated through lack of transparency. Second, the assumption that decisions will be made according to the laws rather than technology can be challenged when an AI makes a bail or sentencing decision without justification.

### Due Process Theory

The Theory of Due Process in criminal processes, where there is an element of danger for life and liberty, the due process ensures the proper treatment of individuals by the justice process. The due process of law faces various threats through the usage of artificial intelligence. For instance, the individual's right to dispute the reasoning and evidence might become a problem due to automatic decision making. Prejudices formed from predictive algorithms can also affect bail or sentencing processes.

### Principles of Natural Justice

Some of the important elements of natural justice are:

- Audi Alteram Partem which is also known as the Right to be Heard.
- Nemo Judex In Causa Sua refers to the fact that nobody should judge themselves in a situation.

If a judgment made through an algorithm cannot be understood by the accused completely, then the latter will be unable to comprehend the reasons why such a decision was made.

Impartiality is affected by training data containing any kind of biases which can result in discrimination.

For the integration of AI in natural justice, algorithms must be unbiased, decisions must be auditable, and final responsibility must rest with the human judge.

## **AI in Criminal Trials: Global Perspective**

AI is gradually revolutionizing the criminal justice system in different countries around the globe, particularly India, through its influence on various stages of criminal proceedings such as investigations, evidence collection, and the trial process. AI applications have been extensively adopted in countries such as China, America, and Britain. Although digital forensics software scans huge volumes of information, including emails, CCTV videos, and

social media interactions, technologies such as predictive policing and facial recognition are used to determine crime-prone areas and suspects at the investigative stage.

In contrast to the USA, India adopts a prudent and disciplined approach towards AI and at present is still at an embryonic stage in the adoption of AI in criminal procedure. Facial recognition, crime pattern analysis, and predictive policing, which are linked with databases such as CCTNS, are some of the key methods where AI is used in investigation and law enforcement. The use of AI in criminal procedures does not involve any decision-making but rather aids judges in their processes. Through the processing of multilingual documents, organizing case documents, and converting spoken language to written text, applications such as transcription software, case management applications, and translation software can be used to boost efficiency.

In terms of regulations, India currently does not possess a dedicated law regulating the use of AI in criminal cases; in its place, it falls under the purview of the existing policies regarding digital use, as well as the current laws that pertain to procedures and evidence. It is clear from the Indian courts that artificial intelligence ought to not play the role of a substitute for human reasoning in any form but rather act as an aid.

India adopts a more conservative approach relative to other countries. While India confines AI use to administrative and auxiliary functions, other states have started to test its application in sentencing and judicial proceedings. There are numerous advantages that come from using AI. Some of them include speedier and more efficient case handling, enhanced data management, and increased accessibility by way of translation services, all of which are vital in a country like India, which has a multiethnic society. However, problems are as significant as opportunities. Among them are the potential for bias and discrimination, the opacity of algorithm operations, concerns about reliability, and possible threats to the presumption of innocence and natural justice. Furthermore, it remains unclear whether AI-generated evidence is admissible.

This may be arguable, but the world is tending towards integrating AI within criminal justice processes and even having AI make decisions in the process. Given the continuous development of regulations that aim at addressing any ethical and legal problems arising from the use of AI, there is no doubt that the application of AI during Indian criminal proceedings is more likely to remain in an assistive form. In summary, although the use of AI can help to increase efficiency in the handling of criminal cases, it needs to be done cautiously so as not to undermine the essence of justice and fairness.

## **AI and Constitutional Principles**

### Indian Constitution Fundamentals and Artificial Intelligence in Criminal Procedures

The application of artificial intelligence in police work, criminal investigation, evidentiary process, and management of judiciary should be guided by constitution fundamentals because criminal procedures have implications for people's life, liberty, dignity, and integrity. Every technological innovation that is implemented within the framework of criminal procedures should be consistent with fundamental principles like justice, equality, liberty, and supremacy of law, which are at the core of the Indian Constitution. Artificial intelligence technologies can boost the efficiency and decrease delays; nevertheless, their misuse may pose a threat to the fundamental rights of citizens.

The deployment of AI in criminal cases may impact the life and personal liberty of the accused, as guaranteed under Article 21 of the Constitution. The right to a fair trial, due process of law, legal assistance, speedy trials, and human dignity are all elements of the extensive interpretation of Article 21 of the Indian Supreme Court Constitution. The accused's freedom may be negatively impacted by the error, erroneous prediction, and biased results associated with the application of AI technology in determining suspects, evaluating evidence, or rendering judgments in the criminal process. As a result, the inaccurate or insufficient data fed into an AI-based technique might incorrectly identify the suspect or produce false information during the investigation process. The right to a fair trial guaranteed under the Constitution is thus likely to be infringed upon by the above scenarios.

Article 14 of the Constitution of India, which speaks about equality before the law and equal protection of laws, holds similar importance as far as AI is concerned. Since the basis of AI depends on past data and algorithms, AI could end up creating discrimination due to training data being prejudiced socially, economically, caste-wise, regionally, or on the grounds of gender. The whole topic of algorithmic bias becomes a major problem when discussing criminal justice systems across the globe, especially in marginalized societies. Prejudices would be created by AI instead of getting destroyed because of existing prejudices in society itself.

Another significant constitutional concern is the Article 19, which guarantees freedom of expression and speech, movement, and association. Predictive policing tools, facial recognition technologies, and AI surveillance might give rise to an atmosphere of perpetual surveillance, which would discourage people from using their constitutional freedoms. Wherever it is not possible to provide adequate safeguards, digital surveillance might give rise to the abuse of

people's private data and limitations to civil freedoms. It is the case, for example, with facial recognition technologies applied to civilians, since such technologies are commonly associated with the infringement of the right to privacy and surveillance. For that reason, any use of AI-powered surveillance in criminal justice must be compatible with constitutional standards of legality and proportionality.

The other major concern that is associated with the use of AI in criminal matters is related to the right to privacy, which is guaranteed by the Constitution. As ruled in the case of Justice K.S. Puttaswamy v. Union of India, the Indian Supreme Court has confirmed that privacy is a basic right under Article 21 of the Constitution. AI technologies generally make use of biometric, digital, behavioral, and personal data for their functioning. The use of facial recognition, data analysis, and AI monitoring systems might lead to the massive gathering of sensitive personal data in criminal investigations. Such measures might be considered to be an abuse of data and a violation of privacy rights.

In addition, application of artificial intelligence in criminal law adheres to the principles of natural justice provided in the constitution. Examples of natural justice include "audi alteram partem" (right to be heard) principle and the rule against bias. The algorithms employed in most AI technologies may often be very difficult to comprehend, not only by the court but also by the defendants. The situation is termed as the "black box problem" as it is virtually impossible to comprehend the decision arrived at through an AI process. In such instances, there is a possibility that the defendant's right to defense will be compromised.

The other aspect that should be kept in mind when viewed in the constitutional perspective is that of judicial independence. The Indian Constitution has made provisions for an independent judiciary which ensures the provision of justice and upholds constitutional values. When the human factor of justice, which encompasses aspects such as empathy, discretion, analyzing of facts, and understanding of social contexts, is weakened because the functions of the judiciary are entirely performed by the AI system, then there may be problems with the constitutional structure. Criminal cases usually consist of complicated human issues, which can only be determined by humans and not through any form of automation.

There exist both opportunities and constitutional challenges when using artificial intelligence in criminal cases in India. Artificial intelligence may help in enhancing efficiency, eliminating the case backlog, organizing evidence, and the modernization of the justice system. However, the use of AI should follow some constitutional values such as fairness, equality, privacy, natural justice, and judicial fairness. Therefore, the Indian judicial system is very careful in the adoption of artificial intelligence, so that it serves as a complement to humans rather than

replacing them in the administration of justice. The quick advancement in artificial intelligence necessitates the existence of strong legal and constitutional frameworks to avoid any violations of citizen rights and constitutional values.

### **Ethical and Legal Challenges**

The growing use of artificial intelligence (AI) in criminal trials in India has led to various ethical and legal challenges that have directly affected the reliability, fairness, and transparency of the criminal justice process. The application of AI in criminal trials poses serious ethical and legal challenges while, at the same time, offering greater efficiency in investigations, evidence handling, legal research, and court administration. The use of AI should be controlled to avoid misuse and ensure justice is delivered effectively and without prejudice, considering criminal trials involve matters of individual freedom, dignity, and punishment.

With the increasing adoption of artificial intelligence (AI) in criminal trials in India, there are several ethical and legal concerns that have been raised and have had an adverse impact on the integrity, objectivity, and transparency of the criminal justice system. The introduction of AI technology in criminal trials presents ethical and legal issues, but at the same time, it ensures efficiency in conducting investigations, handling evidence, conducting legal research, and court proceedings. AI must be regulated to prevent any potential abuse and to ensure that justice is served objectively, taking into account that criminal trials concern personal liberty, dignity, and punishment.

In view of the growing use of artificial intelligence (AI) in criminal trials in India, there arise some ethical and legal concerns which have impacted the criminal justice process adversely. In light of the use of AI technology in criminal trials, there arise ethical and legal issues; however, it guarantees efficiency in terms of conducting investigations, management of evidence, legal research, and court procedures. AI has to be regulated in order to ensure that no misuse takes place. Justice has to be rendered objectively since criminal trials deal with the liberty and dignity of the individual.

On the issue of AI in criminal trials, privacy and data protection are also important aspects to consider. The use of AI involves the collection, storage, and processing of biometric data, digital communication, surveillance images, personal data, and behavioral data. In the case of Justice K.S. Puttaswamy v. Union of India, privacy was recognized as a fundamental right in India under Article 21. Predictive analytics, facial recognition software, and AI-based surveillance could cause too much state surveillance and unauthorized collection of personal

data. This could happen if there are no proper laws to regulate such technologies.

Establishing liability in case of errors committed by AI systems is a critical legal issue. Mistakes in identity determination, analysis of evidence, and other AI errors have serious implications for criminal cases that include wrongful imprisonment, wrongful arrest, and bail rejection. Determination of whom to hold accountable in cases of error by the AI is often difficult. Developers of software, members of the government, investigators, and users of technology might all be held liable. Liability in case of errors associated with the use of AI in criminal procedure is not clear under the laws of India in both criminal and procedural matters. This causes damage to the reputation of the judicial system since there is no procedure to determine who is accountable for the error.

The determination of liability for any errors made by the AI becomes one of the essential legal issues. Errors in the identity recognition, evidence analysis, and other errors made by AI can result in severe consequences for the criminal proceedings like wrongful imprisonment, wrongful arrest, and denial of bail. Determining who should be blamed for any error caused by AI is not an easy task. Software developers, members of the government, investigators, and technology users may be held liable. The liability for any errors made during the use of AI for criminal processes is not defined under Indian laws in criminal law and procedure. It harms the credibility of the judiciary since there is no process to determine the liability for the error.

The issue of erosion of personal judgment and judicial discretion is another issue that arises in the use of artificial intelligence in criminal proceedings. In addition to analysis, there are also other factors such as morality, empathy, facts, and socio-legal understanding that play an important part in criminal proceedings. Emotions, motivation, and complex socio-legal issues cannot be comprehended by AI systems. The process of judgment and justice can be affected negatively by using AI technologies to an excessive extent as it may reduce the role of judges and solicitors in coming to independent decisions. Ethical implications arise from the possibility that judgments will be formed based on the suggestions provided by the AI software without proper evaluation of their implications. Justice cannot be taken away from people in democratic criminal proceedings like those in India.

The digital divide and disparities in technological access in India constitute yet another challenge. The Indian criminal justice system works in a country that is marked by wide differences among its people with regard to literacy rates, financial status, and technological resources. While some higher courts and urban centres may have advanced AI technology at their disposal, some rural settings and lower courts do not have adequate digital facilities. Differences in the level of justice available to certain groups may arise due to the lack of equal

access to AI. Proper and ethical use of AI in criminal proceedings may also be hindered by inadequate technical skills on the part of judges, lawyers, and policemen.

### **AI in Indian Criminal Justice System**

AI has begun to gain relevance as an aspect of concern within the framework of the Indian Criminal Justice System. The Indian Criminal Justice System involves police authorities, the courts, prosecution departments, and corrective institutions. Some common problems associated with the criminal justice system include delayed trials, inadequate judicial infrastructure, pending cases, lack of human resources, and problems with evidence management. With the growing trend of digitalization in governance and judicial administration in recent years, the adoption of technology like Artificial Intelligence in the criminal justice system has started gaining importance in India. Even though India is at a nascent stage compared to other developed nations when it comes to the integration of AI, the adoption of AI in the criminal justice system in India has been gaining traction.

One of the most significant uses of AI within the Indian scenario is within the realm of policing and crime investigation. This includes the use of AI-enabled technologies such as facial recognition technology, predictive policing, surveillance, and analysis of crime patterns by the police. The use of CCTNS technology and others has facilitated the integration of crime-related information in various states. This technology has enabled coordination with law enforcement agencies. AI-based facial recognition technology is used in tracking missing people and habitual criminals. This technology also facilitates the identification of suspects using closed-circuit television (CCTV) cameras and other digital images. The process of using AI-based predictive policing technologies includes analysis of crime patterns in history and identification of crime-prone areas for effective deployment of police officers' resources. Even though these technologies boost the efficiency of investigations, they raise concerns about privacy issues, surveillance, and mismanagement of personal data.

Despite the many advantages of adopting AI in the criminal justice system, there are various legal, ethical, and constitutional concerns that are associated with the implementation of the process. The first concern is algorithmic discrimination, which occurs when an AI produces a discriminatory outcome because of flawed or insufficient training data. In a society that has a diverse social composition, such as India, the application of AI technology can end up replicating the existing discrimination according to caste, class, religion, or region. Another concern is the black box problem, which implies that the opacity of AI technology makes it

difficult to understand and assess the processes involved in the algorithm. Additionally, the admission of AI-generated evidence creates uncertainty regarding its validity under Indian laws of evidence.

Data privacy and protection issues can also be considered alongside AI used in criminal justice. The deployment of AI in criminal justice usually involves the collection and analysis of large amounts of personal and biometric data and video surveillance feeds. Privacy was upheld by the Supreme Court as a fundamental right under Article 21 of the Indian Constitution in the case of Justice K.S. Puttaswamy v. Union of India. As such, any AI-driven surveillance and data analysis must adhere to constitutionally mandated requirements and prevent any arbitrary exercise of governmental power. At present, there is no legal framework governing the application of AI in criminal justice in India.

There has been an approach taken by the judicial and executive branches of the Indian government to be cautious with regard to adopting AI into their operations. The idea of using AI technology is seen to be an improvement on administrative efficiency and assistance to the judicial processes rather than replacing human decision-making processes. There has always been a focus on maintaining core values such as fairness, equality, due process, and natural justice when it comes to any criminal process in India.

There is an extensive application of AI technologies in the administration and management of prisons in India. Researchers have shown that artificial intelligence technologies are being developed to maintain records of inmates in prisons and manage prison security, as well as risk assessment among others. AI technology can enable prison administrators and staff to monitor and manage the conduct of inmates. The use of AI technologies in prisons can be very helpful in identifying patterns and understanding issues related to violence, overcrowding, and security threats in prisons. Care must be taken to ensure that the use of technology is done within limits.

The use of AI in criminal trials in India has led to many discussions where many strong reasons have been cited both for and against the use of AI technology in court proceedings. To begin with, it is believed that artificial intelligence technology will go a long way in helping to revolutionize the current state of criminal proceedings in India where criminal proceedings have been bogged down by delay in proceedings, backlog of cases, and inefficiency in the administration of cases. In essence, artificial intelligence will be beneficial in enhancing the efficiency of criminal proceedings in terms of conducting research, managing cases, transcribing the proceedings, as well as analyzing the evidence involved in the criminal proceedings. Given the fact that there are millions of pending cases in Indian courts, AI-powered technologies will make it easier for judges and lawyers to manage and organize case

data. Secondly, AI technology will be instrumental in improving the process of investigation through forensic tools such as facial recognition and crime analytics.

Nevertheless, just as strongly valid are the arguments against using artificial intelligence in criminal trials, especially keeping in mind the Indian socio-political reality and the need to take into account constitutional protections in the process. The first serious problem here is associated with the phenomenon of bias and discrimination through algorithms. Artificial intelligence works based on historical data. If the said data includes any discrimination regarding caste, class, religious background, or gender relations in society, the result will automatically be a discriminatory decision by the machine that will undermine the right to equal treatment under Article 14 of the Indian Constitution. The second important issue associated with artificial intelligence is that of opacity or black box problem. Criminal trials should be transparent, understandable, and reasonable, yet it is extremely hard to explain any AI-generated results. Thus, in the latter case, natural justice would be violated.

The privacy of individuals is another crucial matter related to the use of artificial intelligence in criminal litigation. The use of artificial intelligence in surveillance and investigations may entail the gathering and processing of personal information and biometric data. In the landmark case of Justice K.S. Puttaswamy v. Union of India, it was declared by the Supreme Court of India that the right to privacy is a fundamental right. It is, therefore, important that the use of AI does not entail extensive state surveillance as well as misuse of personal information. There is a serious doubt regarding the reliability and admissibility of evidence generated using AI. Mistakes within the face recognition system, analysis software, and automated forensics could cause misidentification, wrongful accusations, and even a wrong conviction. Because the Indian law requires that a very high standard be used when presenting proof, there are some legal hurdles involved.

Another reason why AI should not be used is that it might lead to the undermining of human judgement and judicial discretion. In criminal cases, there are human elements that cannot be captured by computers, such as the intent of the crime and emotions. Overreliance on the application of AI will minimize the importance of judges and attorneys in court, making the whole process more mechanical and less human. Issues concerning accountability are another matter that needs to be taken into consideration, as it is hard to determine who is responsible when mistakes occur. Is it the developer who programmed the AI, the government agency that uses the machine, or the organization that runs the AI? Finally, the presence of a digital divide in India will cause different levels of access to technology.

In India, the legal framework that deals with the application of Artificial Intelligence (AI) in

criminal trials is still in the process of being developed and is highly fragmented because there is no specific law that addresses the issue of using AI in criminal trials. Currently, the application of AI in criminal trials is indirectly controlled through laws such as the Code of Criminal Procedure, the Indian Evidence Act, and constitutional rights guaranteed under Article 14, Article 19, and Article 21, which guarantee equal protection, freedom of speech and expression, and the right to life. Moreover, digital governance projects and policy documents such as the National Strategy for Artificial Intelligence and the upcoming Digital India Act show an intent on the part of the government to control AI in the future. Nevertheless, these policies are general in nature and do not consider the specific issues that arise from using AI in criminal trials.

The second regulatory concern related to AI usage in India is about the absence of specific regulations regarding the admissibility and validity of the machine generated evidence. The present judicial framework in India is dependent upon traditional rules of evidence which might not address the issues that arise in relation to machine generated evidence such as facial recognition, machine learning algorithms and automatic forensics evidence. Moreover, there are no legal provisions that provide guidance about the liability in the case of mistakes committed due to AI applications and hence the responsibility remains unclear regarding who could be held liable, the developer of the model or the entity that uses it, or even the State.

Moreover, it is important to develop systems of accountability, which will determine the responsibilities in situations where errors or misuses occur in connection with the use of AI. It can be done by creating regulatory agencies or supervisory authorities that oversee the introduction of AI into the criminal justice system. In addition, programs on training for the judiciary should be developed to teach judges, attorneys, and other criminal justice professionals about the technology, its weaknesses, and legal aspects. Moreover, the adoption of ethical standards, which prioritize fairness and non-discrimination and allow human control over decisions made, is necessary for India.

**Some of the case laws in related to dissertation topic to make better understanding of how ai impacts out judiciary system –**

**1. Justice K.S. Puttaswamy v. Union of India, (2017) 10 SCC 1**

This ruling affirmed the “Right to Privacy” as a fundamental right in Article 21 of the Constitution of India. This ruling is extremely pertinent to AI and criminal justice in that AI applications frequently involve surveillance technology, face recognition, biometric information, and predictive analysis. The ruling made it clear that

technological interference on the part of the State must be legal, necessary, and proportional.

2. *Selvi v. State of Karnataka*, (2010) 7 SCC 263

It was held by the Supreme Court that forcing individuals to undergo narco-analysis, lie detector tests, and brain mapping amounts to a violation of Article 20(3) (Right against Self-Incrimination) and Article 21.

3. *Anvar P.V. v. P.K. Basheer*, (2014) 10 SCC 473

This case set significant guidelines concerning the admissibility of electronic evidence according to Section 65B of the Indian Evidence Act. According to the Court, electronic evidence should be certified for its admissibility in court.

4. *Shafhi Mohammad v. State of Himachal Pradesh*, (2018) 2 SCC 801

The ruling addressed the procedures concerning the use of digital evidence and explained some elements of certification under section 65B. The case was significant in the jurisprudence involving technological evidence used in criminal cases.

5. *Internet and Mobile Association of India v. Reserve Bank of India*, (2020) 10 SCC 274

While dealing with cryptocurrencies' regulation, the decision is notable since it addresses the issue of the proportionality principle and the regulation of emerging technologies.

### **Conclusion**

AI is slowly revolutionizing criminal cases in India by making the investigation process and management efficient. From an international standpoint, countries that are technologically advanced make greater use of AI, even for risk assessments and predictive policing, compared to India, which prefers to tread carefully to safeguard the constitutional values enshrined therein. Incorporating AI poses many ethical concerns concerning the basic rights guaranteed under the Constitution, including equality, fair trial, and privacy, as upheld by Justice K.S. Puttaswamy v. Union of India. Ethical questions arise on algorithmic bias, transparency, accountability, and the admissibility of AI evidence in court. AI provides many benefits to criminal proceedings since it helps minimize delays in accessing justice, although if used recklessly, it would affect the principles of natural justice. In addition, the involvement of AI compromises judicial independence since machines make the decision and not the judge. As a result, a comprehensive legal regime needs to be enacted to regulate the incorporation of AI within the criminal justice system.