

## What are in-camera proceedings and when are they conducted?

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Recently, Supreme Court has rejected a plea by a former editor of Tehelka magazine for in-camera hearing of a rape case against him.

#### In-camera proceedings



[ref-live law]

- In-camera proceedings are **private** and **does not have open court proceedings**.
- It is conducted as per the court's discretion in **sensitive matters**.
- It aims to ensure protection and privacy of the parties involved.
- Proceedings are held through **video conferencing** or in **closed chambers**.
  - **Public** and **press** are **excluded** from witnessing the proceedings.
  - In an **open** court system **press** is allowed to report on the matter being heard.

### Section 327 of the **Code of Criminal Procedure (CrPC)**

- It decides the types of cases that should be recorded on **camera**.
- It includes **inquiry** and **trial** in rape cases.
- It states that if the **presiding judge** or a magistrate thinks fit, she can order at any stage of the proceedings that the **public** generally, or any particular person, shall **not remain present** in the courtroom or the court building.
- Trial should be conducted as far as possible by a **woman** judge or a **magistrate**.
- **Trials** should be held for-
  - Offences punishable under **section 376** (rape) of the **Indian Penal Code**.
  - **Offences** including rape that could lead the victim to be in a **vegetative** state or **death**.
  - Rape of woman **under 12 years** of age.
  - Intercourse by person in **authority**.
  - Intercourse by **public servant** with **woman** in **custody**.

- Gang rapes on adult and minor women.
- It states that it will **not** be lawful to **publish** any matter in relation to in-camera proceedings **except** with the previous **permission** of the court.
  - Ban on **publishing** of trial proceedings for offence of rape may be lifted subject to maintaining **confidentiality** of name and address of the parties.

#### Other cases where in-camera proceedings are allowed

- In **family courts** in cases of-
  - Matrimonial disputes.
  - Judicial separation.
  - Divorce proceedings.
  - Impotence, and more.
- Witnesses of **terrorist activities** to **protect** them and maintain **national security**.