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## THE RISE OF AI, THE FALLIBILITY OF PRECEDENT

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### ABSTRACT

*This paper examines how quickly Artificial Intelligence is being used in the legal sphere and how this has led to the rise of "hallucinated" or fabricated legal content. The legal field is facing a new systemic threat to judicial integrity as the use of AI doubles between 2024 and 2025. The work examines the Supreme Court of India's perspective on the reliance on fabricated precedents as a significant undermining of the adjudicatory process, through an analysis of Gummadi Usha Rani v. Sure Mallikarjuna Rao case. Stanford University study shows that general purpose AI models generate fictitious citations in a majority of instances, thereby causing the need of the revisit of the professional Duty of Candour as mentioned in Section 35 of the Advocates Act, 1961. The paper concludes by pointing out the current lack of regulation in India and advocates for a structured response that includes Bar Council guidelines and strict judicial review to make sure that the efficiency of technology doesn't take override the soundness of legal reasoning.*

**Key Words:** - AI Hallucinations; Fabricated Legal Content; Judicial Integrity; Duty of Candour; Legal Tech Regulation.

## **THE SHIFT TO AI**

Using AI in the legal field is no longer just a dream for the future. According to a report from the Thomson Reuters Institute usage of GenAI in the legal space doubled nearly from 14% in 2024 to 26% in 2025. This change has made things much more efficient, but it has also created a serious and little studied risk: the creation of fake or "hallucinated" legal content. In a field where accuracy is key, even one wrong citation can make the results of a court case less trustworthy.

Gummadi Usha Rani v. Sure Mallikarjuna Rao

The Supreme Court of India dealt with this problem in the case of Gummadi Usha Rani v. Sure Mallikarjuna Rao SLP (C) No. 7575 of 2026. The case came about because a trial court relied on precedents that turned out to be completely false and impossible to verify. A Bench made up of Justice P. S. Narasimha and Justice Alok Aradhe turned down the appeal because it was treated too lightly. The Court made it clear that relying on fake authorities is not just a mistake in procedure. It said that this kind of behaviour hurts the "integrity of the adjudicatory process". The Court did this to turn the issue from a single mistake into a systemic threat to the legitimacy of the courts.

## **THE STATISTICS OF FABRICATION**

The risks associated with AI generated legal content are not hypothetical; they are empirically validated. Stanford University did a study that found that general purpose models like GPT3.5 and Llama 2 made up legal citations that weren't real in 69% to 88% of cases. In a field where past cases are the basis for reasoning, these kinds of mistakes are not only bad, they are not acceptable.

## **DUTY OF CANDOUR**

Using AI doesn't lessen professional responsibility, it intensifies it. Section 35 of the Advocates Act of 1961 clearly mentions that lawyers have a strict duty of candour to the court. This includes the duty to provide legal authorities that are accurate, verified, and trustworthy. Relying on AI generated content that hasn't been checked is not only a technological mistake, it could also be professional misconduct. The Andhra Pradesh High Court also backed up this idea by warning that "Using real intelligence instead of artificial intelligence is better." This statement

sums up the main point that AI can help with legal reasoning, but it can't take the place of human judgment.

## **THE REGULATION GAP**

Even though AI is being used more and more in the legal field, India doesn't have a clear set of rules for how it should be used. This lack of something creates a number of systemic risks such as

- *Inconsistency*: There is no one standard for checking AI-generated content.
- *Erosion of Trust*: A chain reaction in which bad reasoning could happen again in the future
- *Skill Atrophy*: Law students who rely too much on AI may lose their ability to think critically and do research.

In such situation, it is up to each individual practitioner to make sure that the information is correct, which is both inefficient and dangerous.

## **A MULTILAYERED SOLUTION**

To take advantage of the benefits of AI without injuring the integrity of the courts, a structured response is needed:

### 1. Control

The Bar Council of India needs to make clear guidelines about AI usage, such as requirements for mandatory verification and disclosure.

2. Verify: Courts should encourage the use of verified legal databases and adopt strict scrutiny when looking at cited authorities

## **CONCLUSION**

The legal system has a problem with artificial intelligence. It provides unparalleled efficiency while concurrently presenting risks that undermine judicial integrity. The Supreme Court's comments in *Gummadi Usha Rani v. Sure Mallikarjuna Rao* are a timely reminder that the legal system's legitimacy depends not only on the results, but also on the soundness of the reasoning that leads to them. If not controlled, AI could not only help with legal reasoning, but also change

it in ways that are subtle, systemic, and very dangerous. The future of legal practice does not depend on choosing between human and artificial intelligence. Instead, it depends on making sure that technology always follows the rules of justice.

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