



# International Journal of Research Publication and Reviews

Journal homepage: [www.ijrpr.com](http://www.ijrpr.com) ISSN 2582-7421

## Rise of Cyber Crimes against Women in India

*Akhil Bhatt*

*Student BA LLB (Hons.), Fifth Year, Law College Dehradun, Uttarakhand University*

### ABSTRACT

India took a move against digitalization, which carried with it technological influence. Individuals use the internet to learn and make their lives a lot easier. They venture into the unforeseen and connect with almost anybody, at any moment, from anywhere on the planet. Cyber criminals have gained access to the digital world, and women are their primary focus. Women and children are also at risk as a result of cybercrime, which has arisen as a significant problem for the country's law enforcement. In India, perpetrators are increasingly utilizing cyber media to stalk and rape women and children for voyeuristic purposes. For the detection and regulation of cybercrime, a call for reform of the protective, traditional setup, as well as trained police officers with expertise and skills, is sent. The aim of this paper is to focus on cybercrime and legislative action initiatives. A paradigm is suggested, with preventative interventions aimed primarily at reducing cybercrime against women.

**Keywords:** Cyber crimes, Information Technology, Integrity, Penal Code, Harassment

### Introduction

Cybercrime is a national and international crisis. With the evolution of technology, cyber-crime and female victimisation are on the rise, posing a significant concern to an individual's overall security. About the fact that India is one of the few countries to have enacted the IT Act 2000 to fight cybercrime, questions concerning women are still unaddressed in this Act. Several offences such as hacking, distributing pornographic content online, and interfering with data have been designated as punishable under the aforementioned Act. However, this Act does not sufficiently address the grave danger to women's protection in particular.

All, including teenagers, may be victims of cyberbullying. Safety Web assists parents in improving their children's internet safety. Technical safeguards for information networks are being placed in place alongside legal safeguards to detect and discourage illegal activity.

However, this technology has no geographical limitations; it spreads more quickly across the globe, and as a result, offenders are constantly being found in locations including where their actions cause their results, and cyberspace is no different. Cyberspace is a new beginning dominated by machines for data, and Cybercrime is any illegal activity in which a computer or network is utilized as the object, weapon, or goal.[1] Cyber Crime against women is a fairly recent phenomenon in India. As India began its quest in the area of information technology, the emphasis was given to the security of electronic commerce and networking under the Information Technology Act, 2000, though cyber socialising networks went unprotected. The Act turned out to be a partial legislation due to the law's broad scope, which included Cyber Victimization of Women and Cyber Laws in India. The current research aims to demonstrate cybercrime against women in India. Safety of women has always been a concern, particularly in a country like India, where the incidence of crime against women is on the rise. Previously, the crimes were committed on streets or in remote locations. Home used to be the secure spot for a woman to defend themselves from being victimised, but that is no longer the case. Home is now an equally dangerous environment for them, vulnerable to

violence. However, the cap is limited to their computer monitors. This is a big issue. The rising incidence of cybercrime against women has resulted in a woman's sense of vulnerability. They no longer feel comfortable everywhere. When we look at the big picture, the impact on them and culture as a whole are greater.

### Statistics of cyber crime against women in India

In 2019, India, Maharashtra had the largest number of cyber stalking and bullying incidents against women and children in the nation, with approximately 409 cases reported to officials. With 65 events, Uttar Pradesh and Haryana came in second and last, respectively. That same year, the nation estimated nearly 777 cases of such offences. This kind of offence was covered by Section 354D of the Indian Penal Code.[2]

### Number of cyber stalking and bullying incidents against women and children across India in 2019

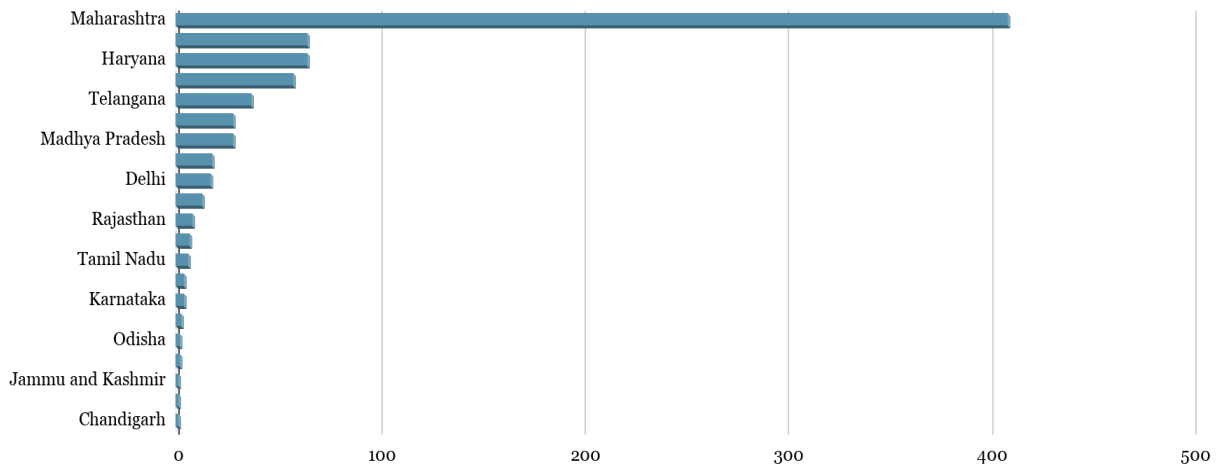


Figure 1

### Cyber crimes against women

"Cyber-crimes against women and children are on the rise and they have been drastically victimized in cyberspace." Any offenders attempt to defame women and children through delivering lewd emails, stalking women and children via chat rooms, blogs, and other means, creating pornographic material, usually without their permission, hacking emails, morphing photographs for pornographic material, etc. Indian women are unable to quickly disclose cybercrime. Most issues will be fixed if women report the crime promptly to alert the rapist that effective measures can be taken. Cybercrime is spreading at a faster pace in India. Online friends, in particular, acquire the trust of their female colleagues and use their female friends' knowledge to emotionally abuse them. These offences are prevalent in India as well as around the world. Perpetrators utilize email to blackmail, harass, intimidate, or exploit others. It frequently causes issues when emails or social media posts are sent from bogus addresses and therefore are impossible to track down. Perpetrators depict these cyber-crimes with specific reasons like criminal benefit, vengeance, insult, to woman's integrity, coercion, blackmailing, sexual harassment, slander, provoke hatred towards society, prank gratification of taking authority, identity theft, and serious psychological disorder.

1. **Cyber Stalking:-** Cyber stalking is among the most common types of internet crime in the modern era. 'Stalking' implies 'seeking discreetly.' Cyber stalking is synonymous with cyber harassment and sexual bullying. It is the stalking or harassment of an individual by the utilization of the Internet or other electronic methods. The use of technologies helps stalkers to threaten their aim from thousands of miles away. It entails violating a person's privacy by tracking their activities around the Internet by posting posts on bulletin boards, visiting chat rooms surrounded by the victim, and repeatedly inundating the victim with messages and emails containing offensive words. Although both men and women are victims of cyberstalking, women are overwhelmingly targeted, specifically those between the ages of 16 and 35, who are stalked by men. It is estimated that more than 75% of the victims are female. In the United States, over one million women and 370,000 men are stalked each year. One in every twelve women and one in every forty-five men would be stalked in their lifespan.[3]
2. **Harassment via Email:-** Email has been one of the most widely utilized technological resources in the last decade. Each day, many individuals send or receive about 100 emails. Harassment on the Internet can occur in a variety of ways. One type may include Harassment via e-mail involving blackmailing, insulting, and intimidation, as well as the persistent sending of love letters in unidentified names or the daily sending of embarrassing mails to one's mailbox. The Indian Penal Code, Criminal Procedure Code, and some provisions of the IT Act address cyber-crime security. In particular, they are utilized to charge criminals under Section 292A of the IPC for printing or publishing highly obscene or

salacious content or matter designed to blackmail, and Section 509 of the IPC for slurring or making some motion meant to disrespect a woman's modesty.

3. Cyber Bullying:- Individuals across the globe can now connect with one another with the press of a key, and technology introduces new threats. Cyberbullying is the intentional leveraging of Information and Communications Technology (ICT), especially cell phones and the internet, to annoy the other. Cyberbullying is described as "intentional and persistent damage caused by the utilizing of computers, mobile phones, or other electronic devices by transmitting offensive or threatening messages."
4. Morphing:- Morphing is the process by which an unauthorised person edits the original image. Morphing occurs when an unauthorised person with a false identity copies a victim's photos and then uploads or reloads them after editing. Female pictures have been stolen from websites by unverified accounts and re-posted/uploaded to various websites by making fake identities after editing them. This is an infringement of the Information Technology Act of 2000. The offender can also be charged with criminal trespass under Section 441, causing public nuisance under Section 290, printing or publishing grossly obscene or scurrilous matter or matter designed to blackmail under Section 292A, and defamation under Section 501 of IPC.
5. Cyber Defamation:- Another widespread crime against women on the internet is cyber tort, which includes libel and slander. Women seem to be more fragile than men, despite the fact that this can happen to any gender. This happens when slander is committed using machines and/or the Internet, such as when someone posts defamatory material concerning being on a website or delivers defamatory emails to any of that individual's contacts.

#### **Causes of growth of cyber crimes against women**

As per national reports issued by the Government of India's National Crime Records Bureau, 9622 cases of cybercrime were reported in 2014, with 5752 people detained. In 2015, 11,592 cases were reported, a 20 percent rise from the prior year with 8121 individuals convicted.[4]

Therefore, it is undeniable that cyber-crimes against women in our society have increased since the implementation of technological advancements, as well as access to the internet in virtually every side. And it is past time for the legislature and the executive to work together to put a stop to this.

Any of the major causes for the rise in cybercrime against women are as follows:

- The internet's transcendental nature has no limits, ever shifting.
- Low cost of equipment.
- Numerous insecure goals- Isolation is a major factor, as many female students and faculty members live away from their families and spend long hours on computers. As a result, the machines become their valued companion.
- Because of confidentiality, concealment is easy.
- Many cybercrimes are not identified because of societal anxiety, reluctance, or shyness.
- Many cyber-crimes go unreported because of the victim's reluctance and social anxiety, as well as her fear of defamation of the family's identity in the community.

#### **Landmark case**

- Ritu Kohli case<sup>1</sup>:- The first instance of cyber stalking in India that has been registered. The woman filed a police report against the guy who was exploiting her name to speak on the internet. She also said that the suspect was passing off her address online and using crude language. Her phone information was also compromised, resulting in repeated calls at odd hours. As a result, the IP address was tracked, and police investigated the whole situation before arresting the suspect, Manish Kathuria. The police had filed a complaint against Ritu Kohli under Section 509 of the Indian Penal Code for offending her modesty. However, Section 509 of the Indian Penal Code only applies to words, gestures, or acts meant to offend a woman's modesty, even in which the same activities are happening on the internet, there is no reference of it in the said section. None of the conditions listed in the section protected cyber stalking, so the Ritu Kohli case served as a wake-up call to the government to enact legislation to address the aforementioned crime and protect victims. As an effect, Section 66A of the Information Technology Act of 2008 was amended, which specifies imprisonment for a period of up to three years and a fine for transmitting offensive messages via communication service, among other things.

<sup>1</sup> AIR 2000

### Cyber laws in India

1. Under IT Act, 2000:-
  - Section 65 addresses offences such as tampering with computer source information.
  - Section 66 Computer System Hacking
  - Section 67 publication of indecent material in electronic form Section 70 access to secure framework
  - Section 72 Invasion of confidentiality and privacy
  - Section 74 Fraudulent publication
  - Section 67 deals with indecent internet publishing. Under the Immoral Trafficking (Prevention) Act of 1956, he was sentenced to life imprisonment and a pecuniary fine of Rs. 1,25,000.
2. Under IT Act, 2008:-
  - Sections 67A and 67B add penalties for distributing or distributing content containing sexually suggestive acts and child pornography in electronic media.
  - Section 67C addresses an intermediary's duty to store and keep information for the time and in the manner and format prescribed by the central government.

### Conclusion

Technology is now an imperative part of everyday life over the last few decades. Since we rely on digital techniques to enable and promote our lives, there are more opportunities for it to be abused, leading to an increase in cybercrime, especially against women.

Cyber Crime against women in India is only in its early stages, but it is rapidly spreading.

The cyber community provides a massive forum for cyber criminals to do damage to the most vulnerable members of society. Indian female internet users are also unsure about when to report crimes. The female victims are not taking prompt action to report these cyber crimes or cyber abuse. This type of evasion on the part of victims provides more opportunities for cyber criminals to commit even more crimes in the cyber world. As a result, women are often targeted and abused online. To stop cybercrime, women should still be cautious when accessing the internet, social media, or conversing with strangers. Cybercrime against women necessitates a holistic solution and must be seen as a serious offence, much as other violence against women.

Laws under the IT Act are insufficient and should be revised to make them gender-specific rather than cyber-specific. The IPCs can also be revised, and specific legislation enacted to ban cybercrime against women. To counter cybercrime against women, everybody must be made aware of the dangers of misusing the internet, which can lead to a variety of cybercrimes.

### References

1. Desai M and Jaishankar K, *Cyber Stalking-Victimization of Girl Students: An Empirical Study* (2007).
2. Keelery S, "India: Cyber Stalking and Bullying Cases against Women and Children by Leading State" (*Statista* February 25, 2021) <[GJRM VOL. 4, NO. 1\) <\[Crime in India 2015 \\(Ministry of Home Affairs, Government of India, 2015\\).\]\(http://www.publishingindia.com/GetBrochure.aspx?query=UERGOnJvY2h1cmVzfC8yMjE3LnBkZnwwMjIxNy5wZGY=> accessed April 2021.</a></li>
<li>4. \)](https://www.statista.com/statistics/1097724/india-cyber-stalking-bullying-cases-against-women-children-by-leading-state/#:~:text=In%202019%2C%20the%20state%20of,cases%20registered%20with%20the%20authorities.&text=Overall%2C%20the%20country%20recorded%20approximately,such%20offences%20that%20same%20year.> accessed April 2021.</a></li>
<li>3. Agarwal N and Kasuhik N, )