

# PROTECTION OF CHILDREN FROM SEXUAL OFFENCES AND OFFENCES OF OBSCENE MATERIAL ON THE INTERNET – LEGAL PROVISIONS

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## ABSTRACT

This research paper talks about the impact of sexual offences on people, how such offences affect the lives of young children and leads to re-victimization of the affected children. Not only children but many other people young or adult or middle aged get affected with the negative impacts. Transmission of obscene material all over the internet through various electronic forms has also become common and a topic of issue causing deaths and suicides. Obscene Material travelling through the Internet is not a new piece of information. People have referred them and shared them in varied electronic platforms. With modernization of societies and dynamic changes pornography has become common as well. But what effects are they causing on the children and the young generation that are expected to be the future of India? There are laws for the removal of such content from any source available, there are laws that state such acts to be of illegal in nature and punishments for the same. Many young children become victims of child pornography and the issues goes unnoticed due to ignorance and fear caused due to threats. Children are even suffering with sexual abuses, harassments, and assaults. In some cases, it even happens because of their own family members. With the evolution of social cultures and dynamic changes, many laws have been amended in India such as the decriminalization of Section 377 of the Indian Penal Code with response to the growing support for the people of the LGBTQ+ community. Child rights are required to be protected more strictly. Protection of children under the Protection of Children from Sexual Offences Act (hereafter POCSO Act) is widely and broadly explained, but still many children have been victims of various cruelties and sufferings. Child Labor which is widely seen in India is also illegal as per law but still it is evident that there are lakhs and lakhs of children under the age of 14 still working. Information Technology Act, 2000 also talks about the punishments for sharing of obscene materials. Exposure of children to pornography is highly dangerous for their

mental as well as physical health. Obscene material on the internet also adds no good to the people but further deteriorates a decent mind and loss of a dignified life for the victims. Approximately 548 million times the word adult content is searched on the internet per year.

*Keywords – Protection of Children from Sexual Offences Act, Protection of Children, Child Pornography, Obscene Material, Information Technology Act, 2000.*

## INTRODUCTION

Sexual Offences are present from the times we cannot even recall. Starting from child abuse to heinous rape cases, many people have become victims of such offences. Not to mention separately the Nirbhaya case automatically pops up whenever talked about rape cases in India. Not one not two but total of 3.35 lakh rape cases have taken place in India from 2005 to 2019. Many people become victims of child pornography and revenge porn as well.

Pornography must be distinguished from sex education. Both are completely different. Sex education is about educating people with the knowledge related to sex and sexuality. Sex education is a form of teaching that helps in human development, builds stronger relationships, building personal skills, righteous sexual behaviour, and health, and finally a virtuous role in the society and cultural dynamicity.

Revenge porn has caused so many people to commit suicide. The meaning of revenge porn is sharing of sexual pictures or videos of a person on the internet by their former partner without the consent of the person whose image or video is posted. This is done to cause distress to them and embarrass them by disturbing their peace and mental stability. Such an act is atrocious and destroys the life of the victim. The victim becomes prey to getting abused by the society as lewd.

The first ever case related to revenge porn in India happened in 2018, the State of West Bengal v. Animesh Boxi <sup>1</sup>. In the case, the accused published and shared private images and videos of his ex-girlfriend after she ended the relationship. He did so to take a revenge and without her consent published the images and videos. The victim was forced to share those images with him when they were in a relationship with the mindset that they will be married with each other someday. But the accused had blackmailed her to send more similar pictures otherwise he

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<sup>1</sup> AIR 2018 Cal. 1587

would upload the previously sent pictures and videos on the internet. The victim was pressurized and stressed so she and ended terms with him. But he later on uploaded the images in an adult website by disclosing the identity of the victim and the identity of her father. The accused was punished with an imprisonment of 5 years and a fine of Rs. 9,000. The State Government's judgment states that victims of such cases must be treated as rape survivors and should be granted the compensation.

Knowing about pornography and devoting time to watch porn does not provide any good information to the person using up their time for porn. Young children are deeply affected by this. Child pornography is illegal in India as per Section 15 of the POCSO Act, 2012. Section 67B of the Information Technology Act, 2000 also includes provision for punishment regarding publication or transmission of materials that depict children in sexually explicit acts, etc. in electronic format.

Not only involved in pornography but children are also abused in other ways such as forced labor, other harassments, beating the child harshly, keeping the child confined inside dark room, etc. These harassments lead to mental illness along with the physical discomfort they are already facing.

Over the years, there have been various cases related to child abuse. Recently there was a case of a 71-year-old man who had abused his own 15-year-old granddaughter and raped her. That poor child was impregnated by the grandfather, and he had made her abort the baby with the help of a neighbor and village nurse. It was revealed through investigations that the girl child was being sexually abused by the grandfather for three years since when she was only 12. The girl child and her brother have been living with the grandfather because their mother had died three years ago, and the father had married another woman and left the children alone. That poor girl child did not even know what she had been going through. The grandfather was booked under provisions of the POCSO Act. But what about the child who had fallen prey for this heinous act? What about the shocks she has received at such a young age? What about the terror she has faced? These are the major issues faced getting terrorized and traumatized leading to various mental illness such and Post Traumatic Stress Disorders.

The POCSO Act includes punishment for penetrative sexual assault, aggravated penetrative sexual assault, harassment, and its punishment, use of child for pornographic purposes and its punishment. There are punishments for storage of pornographic materials that involve children.

Punishment for abetment of offence, attempt to commit an offence. There are also provisions for reporting offences. The Act explicitly says that it is the obligation of media, studio, and photographic facilities to report cases that seem to be related to obscene representations, pornographic content, and other similar offences.

In the midst of overflowing cases related to sexual assaults there might also be fake allegations. Therefore, the POCSO Act even includes provisions for fake complaints and false information and its relevant punishment. Section 67, 67A and 67B of the Information Technology Act, 2000 also provide punishment for publication or sharing obscene materials on the internet using any electronic form. Section 354A of the Indian Penal Code explains the punishment for sexual harassment.

## **RESEARCH QUESTIONS**

By researching and writing this paper, the author intends to comprehend the following:

- ✓ How young children are abused and what legal provisions can protect them?
- ✓ How the offenders of sexual offences can be punished?
- ✓ What are the limitations of the POCSO Act and other legal provisions related to sexual offences?
- ✓ How can such offences be decreased?

## **RESEARCH OBJECTIVE**

The main objective for this research paper is that the author intends to comprehend to various provisions under the Protection of Children from Sexual Offences (POCSO) Act. Also, for understanding legal provisions related to obscene materials that are ruining lives of many and what are the punishments provided to such offenders.

## **PROTECTION OF CHILDREN FROM SEXUAL OFFENCES**

The main agenda and objective of enacting the POCSO Act is to protect the children from offences of sexual assaults, sexual harassments, and pornography. The Act also provides

Special Courts to deal with such offences. For clarification it is must be noted that anyone below the age of 18 is considered a child.

#### ***Section 4 –***

The first punishment for an offence mentioned in the POCSO Act is the penetrative sexual assault as stated under Section 4. It states that any person committing a penetrative sexual assault shall be punished with imprisonment for a specified term not less than 10 years and that might later extend to life imprisonment.

Section 4 further states that if a penetrative sexual assault is committed on a child below the age of sixteen shall be punished with an imprisonment of not less than 20 years and that might later extend to life imprisonment, i.e., remaining natural life of the offender. Such a person committing the offence will also be charged with a fine. The fine charged must be reasonable and the payment must be made to the victim for covering the medical expenses and required rehabilitation treatments.

#### ***Section 5 –***

Section 5 of the POCSO Act talks about aggravated penetrative sexual assault. Firstly, what is aggravated? The term aggravated means an offence that is more heinous or more provoking. So, this offence committed under Section 5 is more serious than what is stated in Section 3 and 4.

Section 5 states that any person committing any of the following acts is said to have committed the offence of aggravated penetrative sexual assault:

- If any person who is a police officer, commits the offence of penetrative sexual assault on a child in the police station or in the premises where such he is appointed as a police officer, or in a place that is in the premises of any station house, be the house situation in the police station or not, or while he is in duty or otherwise, or at any place where people identify and recognize him as a police officer.
- If any person who is a member of the armed forces or security forces commits the offence of penetrative sexual offence on a child in a place where such person is posted as an officer, or in areas that fall under the command of the armed forces or commits such an offence while he is in duty or otherwise or commits such an offence in a place where he is identified as an officer or member of the armed forces.



- If a public servant commits the offence of penetrative sexual assault on a child.
- If a staff of a jail or remand/protection/observation home or any other place of custody commits an offence as stated under Section 3 on a child who is an inmate of such a jail or home or custody.
- If a staff of a hospital, be it a government hospital or private hospital, commits the offence of penetrative sexual assault.
- If any staff from an educational/religious institution commits penetrative sexual assault on a child.
- If a group of people commit the offence of penetrative sexual assault on a child as a gang. Here it must be noted that each person of the group shall be deemed to have committed the offence as if it had been committed by each individual separately.
- If any person commits the said offence using any weapon that is highly dangerous, fire, any substance that is heated or any substance that is of corrosive nature.
- If any person commits the said offence on a child that leads to dangerous injury to the body of the child, any other bodily harm, or damages any other sexual organs of the child.
- If the commitment of the offence of penetrative sexual assault leads to mental incapability of the child or leads to any impairment on the child's body that makes the child unable to use his/her body to perform regular day-to-day activities either temporarily or permanently, in case of a girl child, if she is impregnated as a result of the sexual assault, imposes the child with HIV or any other disease that might be dangerous to life of that child or any infection that might lead to physical impairments or mental illness.
- Any person who is a repeated offender is found guilty of committing the offence again.
- Any person who commits the offence of penetrative sexual assault and forces the child to strip or March naked in the public.

Above are mentioned some of the heinous offences that might or might not have been committed by people. He is an ordinary person, or a person of high status, position, etc., if you have committed the offence you are deemed to face the consequences or punishments. Fyodor Dostoyevsky quotes that "The man who has a conscience suffers whilst acknowledging his sin. That is his punishment." One who acknowledges the offence committed by him by the virtue of his conscience, for him, such acknowledgement itself is a punishment. Punishments that lead

the accused/offender to feel guilty and accept the offence committed by them are the greatest punishments. But with the increasing number of crimes and offences, citizens want harsh punishments for offenders.

### ***Section 6 –***

Section 6 of the POCSO Act defines the punishment for the offence committed under Section 5. Section 6 states that any person who has committed the offence of aggravated penetrative sexual assault is punished with an imprisonment of not less than 20 years and that might extend to life imprisonment. The offender is also charged with a fine and might be sentenced with a death sentence. The section further states that the fine charged should be a reasonable amount and the payment must be made to the victim for the purpose of recovering medical expenses and for rehabilitation.

### ***Section 8 –***

Section 8 talks about the punishment for sexual assault. Any person who commits sexual assault on a child is punished with an imprisonment of specified period and that should not be less than 3 years and that period might later extend to 5 years. Such an offender is also charged with a fine of reasonable amount.

In a very recent case, a grandfather, uncle, and brother of a 7-year-old girl child were registered under the POCSO Act on Accessed August 12<sup>th</sup>, 2021. The case was that a girl child and her brother had been brought to the grandfather's residence as the mother of the children was busy with office work and the children were attending online classes due to pandemic situation. On Accessed August 2<sup>nd</sup>, 2021, when the girl child was sleeping next to the grandfather, he had sexually assaulted her and in fear the child had went to the uncle for help. That went in vain as the uncle also assaulted the poor child. In terror and shock the child finally ran to her own elder brother for help but that also was of no good, even the elder brother had sexually assaulted his own sister. The grandfather was 62 years old, the uncle 42 and the brother 16. On Accessed August 8<sup>th</sup>, 2021, the mother had gone to visit her children and found out that her daughter was very sick and was not in a position to walk. The mother immediately took her to the hospital and the daughter had explained everything that had happened. The mother immediately filed, and police complaint and all the three men (grandfather, uncle, and elder brother) were booked under the POCSO Act. The grandfather and the uncle are sent to jail and the brother is sent to correctional facility.

***Section 10 –***

Section 10 talks about the punishment for aggravated sexual assault committed by any person/persons as given under Section 9. Section 9 of the POCSO Act states the persons same as what is explained under Section 5, the difference is that under Section 5 it is aggravated penetrative sexual assault and under section 9 it is aggravated sexual assault.

The punishment stated under Section 10 is that any person who commits aggravated sexual assault on a child is punished with an imprisonment of a specified period that might not be less than 5 years and might later extend to a period of 7 years. The offender is also liable to pay a fine.

***Section 11 –***

Section 11 of the POCSO Act talks about sexual harassment. A person who speaks words or creates sound or gestures or showcases any body part with the intention that such an action is seen by a child, or makes a child see any body part or exhibit any body part of the child that the other person can see, or making a child see an object or any media for pornography, or continually follows/contacts the child directly or through electronic means or through any other medium of contact, or threatens any child that they will reveal a real or fabricated depiction of the child that shows the child being involved in a sexual activity, or tempts a child for the purpose of pornography is said to have committed the offence of sexual harassment. The major point to be noted here is that any act that is carried out with a sexual intent is a question of fact in sexual harassment cases.

***Section 12 –***

Section 12 of the POCSO Act states the punishment for the offence of sexual harassment as defined under Section 11. Section 12 explains that any person who commits the offence of sexual harassment on a child is punished with imprisonment of a specified period that might later extend to three years and such person is also charged with a reasonable amount of fine.

***Section 13 –***

Section 13 of the POCSO Act explains the use of children for pornography. The Section states that any person, who uses a child for the purpose of sexual indulgence either for a media programme or any advertisement that is telecasted in television channels or on the internet or



in any other electronic mode or printed mode no matter the purpose is for personal use or not is deemed to be guilty of the offence of using a child for pornography.

The acts include representing any sexual organ/organs of the child, using a child who is engaged in real or imitation of sexual activity or acts, representing a child in an obscene way.

***Section 14 –***

Section 14 of the POCSO Act provides the punishment for using children for pornography. The Section states that any person who is found guilty of using any child for the purposes of pornography is deemed to be punished with imprisonment that should not be less than 5 years and must be charged with a fine as well. If the same person is convicted of the offence subsequently then they are punished with an imprisonment period of not less than 7 years and are also charged with fine.

***Section 15 –***

Section 15 of the POCSO Act provides the punishment for storage of pornographic material involving child. The Section states that if any person is found to have stored any pornographic material involving a child and their intention is to share such material with others in the form of child pornography is liable to pay a fine amount not less than Rs. 5,000 if such a person does not delete or destroy or report the possession of such pornographic material to the concerned authorities.

The Section further states that if any person has stored any pornographic material that involves a child and has kept such materials for the purpose of transmitting or sharing or distributing or publishing it in any form is punished with imprisonment of a specified term and that might extend to a period of three years or fine or both.

It is further stated that if any person is found having in possession of any pornographic material that involves a child for the purpose of commercial use is punished with imprisonment that should not be less than a period of 3 years and that might later extend to a period of 5 years if convicted for the first time. If the same person is convicted subsequently then they are punished with an imprisonment period of not less than 5 years and that might later extend to a period of 7 years. The offender is also charged with a fine of reasonable amount.

## ANALYSIS AND SUGGESTIONS

Sexual offences affecting children has always been an issue. Even after enactment of various laws, offenders keep committing these crimes. The lack of awareness and leniency in punishments are few reasons that lead to subsequent commitment of such crimes. Children are vulnerable and are most of the time in need of some elderly care. At up to the age of 16 children need proper elderly care. Even people above the age of 16 become victims of various offences. Awareness of laws and importance of knowing the differences between crimes and regular activities should be made know to people. One cannot argue that only illiterate people commit these types of offences. That is completely false fact, sexual offences, posting of pornographic materials, sharing obscene content on the internet are all heinous crimes.

Most terrifying and shocking case related to sexual assaults, harassments and rape taken as videos and shared in online platforms was the case that happened in Pollachi, Tamil Nadu in 2019. The case was widely in news when a 19-year-old girl opened up and filed complaints of blackmailing, sexual abuse, and extortion. Back in 2019, in an old farmhouse near Pollachi many youngsters used to hang out for relaxations. Only because of the girl opening up it was found out through investigations that the group of youngsters visited that place to sexually assault, harass and rape girls of various age groups from 14 years to 35 years. Those young men filmed them getting assaulted and raped. They later on threatened them and blackmailed them to post those videos in online platforms (which they already did) and asked them to visit often. After the issue came to light, many people were arrested, and the case is still under trials. The most heartbreaking news about this case is that in those videos girls were begging for mercy by calling those offenders as brothers. But still they continued to film them and torture them.

There are many such cases, loads and loads of cases every year pile up. The only things that remain in the history is case laws for law students to cite. Justice is provided in some and the case left unfinished and closed. What about the lives of the victims? They are affected physically, mentally traumatized, and terrorized. Harsh cases of rape not handy but so many that the list will go on. Sexual offences are serious crimes. Sexual offences are not restricted to the women. Children (both boys and girls), women, men, people of the LGTQ+ community all face such offences, of course there is a difference of ratio of victims. So here one cannot put

the blame on the gender, appearance, clothing style, or any other thing but the mindset. No living being is an object of sex. This statement is not restricted humans but to animals as well.

The law has provided multiple laws, multiple provisions. It is true that in many cases the punishment is not as harsh as the crime. Those are the areas to be amended similar to how the Motor Vehicles Act was amended in 2020. Harsher punishments and heavy awareness can be a couple of helping factors. The reason for stressing on harsher punishments is that, as mentioned about cases remain in the history for citation, it helps to let one know that this particular crime was committed, and the accused was punished severely so it is for the good to avoid and prevent the commission of the crime. This enhances the ability to think and plan as to how to avoid and prevent such offences. People will ponder multiple times before commission of the crimes and might conclude to completely not commit it at all.

Severity of punishments can play a major role in lowering crimes. John Locke defined that “End of law is not to abolish or restrain but the preserve and provide freedom. Law is never static and with changing times the law also changes but it cannot be arbitrary and unreasonable.” Law is changed as per evolution, as per the needs of the society and law develops as human civilization develops. We can take example of Section 377 of how it was decriminalized by giving recognition to the LGBTQ+ community. We can also state how a new clause was added to Article 15 of the constitution through the 103<sup>rd</sup> Constitutional Amendment Act that talks about maximum of 10% of reservation for Economically Weaker Sections. Section 354D of the Indian Penal Code was added recognizing Stalking as an offence.

India ranks 71 as per the Crime Index 2021 Mid-Year with Crime Rate at 44.43% . Healthy amendment of laws along with the reduction of crimes contributes to faster development of a nation. Development of a nation must ensure safety and welfare of its citizens, increase in number of crimes does not create a safety hub, rather leads to migrations and brain drain. Increased number of crimes, especially sexual offences are one of the reasons for why people migrate to different countries. Improvement in laws by imposing stricter punishments and evolution of people’s mindset can contribute for lowering crimes and offences.

## **OFFENCES RELATED TO OBSCENE MATERIAL ON THE INTERNET**

As discussed in earlier sections related to transmission and sharing of pornographic materials involving children, this section is an extension of the topic. Distribution and publication of obscene material involving adults is also a crime as per Sections 67, 67A and 67B of the Information Technology Act, 2000.

Availability of obscene material on the internet has become very 'common'. But this is not something 'commonly' encouraged. Before technological advancements took place, selling of items related to obscene materials such as books, was an offence under Section 292 of the Indian Penal Code (still it is a crime). Section 293 of IPC prohibits sale of obscene objects to young persons below the age of 20 and Section 294 of IPC prohibits obscene acts and songs that create annoyance to others as crime. After the advancements in information and communication technology, filming obscene acts and uploading it in various online platforms and social networking sites were found. The Information Technology Act, 2000 (hereafter, IT Act, 2000) strictly states that publication and transmission of obscene materials in any form of electronic mode is a serious offence.

### ***Section 67 of the IT Act, 2000 –***

Section 67 defines the punishment for publication/transmission of obscene material in any form of electronic mode. The section states that any person who publishes/transmits/or causes to be published/transmitted any obscene material that is found to contain lewd and of lecherous nature is punished with an imprisonment for a specified period that might later extend to a period of 3 years. The offender is also charged with a fine that might extend to Rs. 10 Lakh.

The Section also states that if the effects of any material makes a person as corrupt and wicked because they saw, read or heard any of the matter contained in those materials concluded as obscene, then the person who has published/transmitted such content is punished with imprisonment for a specified period that might later extend to a period of 3 years and the offender is also charged with a fine that might later extend to Rs. 10 Lakh.

### ***Section 67A of the IT Act, 2000 –***

This Section defines the punishment for publication or transmission of materials that contain sexually explicit content in any electronic mode. The Section states that any person, who publishes or shares or causes to publish or share any material that contains sexually explicit act

in the electronic platform, then such a person is punished with an imprisonment of a specified period and that might extend to a period of 5 years. The offender is also charged with a fine that might extend to Rs. 10 Lakh. If the same person is convicted subsequently then an imprisonment that might extend to 7 years and a fine that might extend to Rs. 10 Lakh.

***Section 67B of the IT Act, 2000 –***

This Section defines the punishment for publication or transmission in electronic platforms, obscene materials that depict children involved in sexual activity. The Section states that any person, who published or shares or causes to publish or share any material in electronic platforms containing content that depicts children involved in sexual activities, or if any person is involved in the creation of images or textual content or downloads or promotes or distributes such content that depict children in obscene manner such person is punished with imprisonment that might later extend to a period of 5 years along with fine that might later extend to Rs. 10 Lakh. If the person commits the offence subsequently then they are punished with imprisonment that might later extend to a period of 7 years along with a fine that might later extend to Rs. 10 Lakh.

The Section also states that if any person induces children to enter into relationship in online mode with one or multiple children and induce them to act in a sexually explicit manner that might offend an adult on the online resources, or in any person induces online abuse of children, or if any person records own abuse in electronic form or of others that contain sexual activities with children, then such person is punished with imprisonment that might later extend to a period of 5 years along with fine that might later extend to Rs. 10 Lakh. If the person commits the offence subsequently then they are punished with imprisonment that might later extend to a period of 7 years along with a fine that might later extend to Rs. 10 Lakh.

***Exceptions –***

For Sections 67, 67A, and 67B, the provisions does not apply if such acts as mentioned in the Section are done for the purpose of writing books, used in pamphlets, papers or any representation made without any illegal means and with complete consent of the people involved, the publication must be justified that it is done for the good of the public that such content is made in the interest of science, literature or any other form of learning or general concern, or kept for any *bona fide* heritage or religious purposes.



## ANALYSIS AND SUGGESTIONS

The above sections explain the punishment given for those who publish obscene materials that involve adults and children both. It must be noted that if any person watches sexually explicit material in private space and place, then that is not illegal. It can be stated that under the Fundamental Right to Personal Liberty one can watch porn privately within the privacy of their rooms. But it is significant to know that publication of obscene materials illegally without the consent of the persons involved is highly punishable. Consent is a very important criterion in every aspect and especially in sexual activities. There are many amendments made in the Indian Penal Code and other laws such as the Indecent Representation of Women (Prohibition) Act, 1986, the Protection of Women from Domestic Violence Act, 2005.

If we start to create the list of laws, then there are plenty, there is an ocean of laws available. But what makes one prevent from committing such crimes and offences? The fear of punishments? Not only fear of punishments, but what the social aspects are demanding such as morals and values. For the protection of morals and for the protection of one's safety, for running smooth lifestyle without disruptions, maintenance of one's dignity and decency can also lead to prevention. But these crimes are committed at large by a huge population. Not to mention the recent case of Raj Kundra who was involved in creation and distribution of pornographic content in Accessed August 2021. Not only famous personalities, but there are many other common people who are involved in such offences and crimes.

Doing anything legally will give one more peace and contribute to lower crimes. We can prevent the commission of offences and crimes, be it a small one or a very unimaginably huge crime, commission of such only leads to legal consequences, social distress and heavy penalties and punishments.

There have been many cases that include provisions of Section 67 of the IT Act, 2000 such as the Mohit Chhabra and another v. State and another, Yogesh Arora v. State of Haryana, Rishi Sahu v. State of Uttar Pradesh, etc. All these cases were closed by the application of Section 67 and relevant section of the Indian Penal Code.

## CONCLUSION

Over the years before and after technological advancements, we can see that there has been increase in cases related to sexual assaults, harassments of children and not to mention that with the development of smart phones pornography and obscene materials on the internet have also increased. Many young children who don't even identify that they have been victims of heinous offences are molested and harassed. Though there are adult victims also, since the focus of this paper is about children and obscene material relevant sections of the Protection of Children from Sexual Offences Act and sections of the Information Technology Act along with other relevant sections of the Indian Penal Code has been explained. Sexual offences are serious crimes, and the objective of this paper is to create awareness about the offences and what are the legal provisions one can cite if they witness anyone who is going through a similar suffering. There are many other legal provisions as well that one can refer.

As mentioned in the earlier sections of this paper India has a crime rate of 44.43 % and that is quite high. It is high time that people voice out the offences that happen around them but chose to stay mum. With multiple and unimaginable number of victims, there are also many other whose sufferings are not known. Many victims are feared because they are threatened by the offenders and the tortures that they suffer stay in the dark. It must be understood that it is not the mistake of the victim, and they are not entitled to suffer. When rape cases come to light not to mention the Nirbhaya case, or Dr. Priyanka's case, there are many opinions that direct it towards the victims. The victims are blamed for being molested by unnecessary and completely irrelevant comments like, 'there was no reason for a woman to stay out late at night', 'clothing style of women is the problem', and such things are NOT the reason for rape or sexual offences. The only reason of sexual offences against children, men, women, no matter who the victim is, it is the fault of the offender completely. With increased development, technological advancements in various field, development of the future – artificial intelligence, modernization of the society, these aspects must be kept in mind and must contribute to lower offences.

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