

INTERNATIONAL JOURNAL FOR LEGAL RESEARCH AND ANALYSIS



Open Access, Refereed Journal Multi-Disciplinary
Peer Reviewed

www.ijlra.com

DISCLAIMER

No part of this publication may be reproduced or copied in any form by any means without prior written permission of Managing Editor of IJLRA. The views expressed in this publication are purely personal opinions of the authors and do not reflect the views of the Editorial Team of IJLRA.

Though every effort has been made to ensure that the information in Volume II Issue 7 is accurate and appropriately cited/referenced, neither the Editorial Board nor IJLRA shall be held liable or responsible in any manner whatsoever for any consequences for any action taken by anyone on the basis of information in the Journal.

Copyright © International Journal for Legal Research & Analysis

EDITORIALTEAM

EDITORS

Dr. Samrat Datta

Dr. Samrat Datta Seedling School of Law and Governance, Jaipur National University, Jaipur. Dr. Samrat Datta is currently associated with Seedling School of Law and Governance, Jaipur National University, Jaipur. Dr. Datta has completed his graduation i.e., B.A.LL.B. from Law College Dehradun, Hemvati Nandan Bahuguna Garhwal University, Srinagar, Uttarakhand. He is an alumnus of KIIT University, Bhubaneswar where he pursued his post-graduation (LL.M.) in Criminal Law and subsequently completed his Ph.D. in Police Law and Information Technology from the Pacific Academy of Higher Education and Research University, Udaipur in 2020. His area of interest and research is Criminal and Police Law. Dr. Datta has a teaching experience of 7 years in various law schools across North India and has held administrative positions like Academic Coordinator, Centre Superintendent for Examinations, Deputy Controller of Examinations, Member of the Proctorial Board



Dr. Namita Jain

Head & Associate Professor

School of Law, JECRC University, Jaipur Ph.D. (Commercial Law) LL.M., UGC -NET Post Graduation Diploma in Taxation law and Practice, Bachelor of Commerce.



Teaching Experience: 12 years, AWARDS AND RECOGNITION of Dr. Namita Jain are - ICF Global Excellence Award 2020 in the category of educationalist by I Can Foundation, India. India Women Empowerment Award in the category of "Emerging Excellence in Academics by Prime Time & Utkrisht Bharat Foundation, New Delhi. (2020). Conferred in FL Book of Top 21 Record Holders in the category of education by Fashion Lifestyle Magazine, New Delhi. (2020). Certificate of Appreciation for organizing and managing the Professional Development Training Program on IPR in Collaboration with Trade Innovations Services, Jaipur on March 14th, 2019

Mrs.S.Kalpana

Assistant professor of Law

Mrs.S.Kalpana, presently Assistant professor of Law, VelTech Rangarajan Dr.Sagunthala R & D Institute of Science and Technology, Avadi. Formerly Assistant professor of Law, Vels University in the year 2019 to 2020, Worked as Guest Faculty, Chennai Dr.Ambedkar Law College, Pudupakkam. Published one book. Published 8Articles in various reputed Law Journals. Conducted 1Moot court competition and participated in nearly 80 National and International seminars and webinars conducted on various subjects of Law. Did ML in Criminal Law and Criminal Justice Administration. 10 paper presentations in various National and International seminars. Attended more than 10 FDP programs. Ph.D. in Law pursuing.



Avinash Kumar



Avinash Kumar has completed his Ph.D. in International Investment Law from the Dept. of Law & Governance, Central University of South Bihar. His research work is on "International Investment Agreement and State's right to regulate Foreign Investment." He qualified UGC-NET and has been selected for the prestigious ICSSR Doctoral Fellowship. He is an alumnus of the Faculty of Law, University of Delhi. Formerly he has been elected as Students Union President of Law Centre-1, University of Delhi. Moreover, he completed his LL.M. from the University of Delhi (2014-16), dissertation on "Cross-border Merger & Acquisition"; LL.B. from the University of Delhi (2011-14), and B.A. (Hons.) from Maharaja Agrasen College, University of Delhi. He has also obtained P.G. Diploma in IPR from the Indian Society of International Law, New Delhi. He has qualified UGC – NET examination and has been awarded ICSSR – Doctoral Fellowship. He has published six-plus articles and presented 9 plus papers in national and international seminars/conferences. He participated in several workshops on research methodology and teaching and learning.

ABOUT US

INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS
ISSN

2582-6433 is an Online Journal is Monthly, Peer Review, Academic Journal, Published online, that seeks to provide an interactive platform for the publication of Short Articles, Long Articles, Book Review, Case Comments, Research Papers, Essay in the field of Law & Multidisciplinary issue. Our aim is to upgrade the level of interaction and discourse about contemporary issues of law. We are eager to become a highly cited academic publication, through quality contributions from students, academics, professionals from the industry, the bar and the bench. INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS ISSN 2582-6433 welcomes contributions from all legal branches, as long as the work is original, unpublished and is in consonance with the submission guidelines.

SILENT SUFFERING: THE HARSH REALITY OF CRIMES AGAINST WOMEN

AUTHORED BY - BHOOMIKA RANKA

Abstract:

In this Article, "Silent Suffering: The Harsh Reality of Crimes Against Women," Bhoomika Ranka explores the widespread problem of violence against women and girls, which continues to be a grave human rights violation on a global scale.

This Report highlights the many types of gender-based violence, such as femicide, intimate relationship violence, sexual assault, and human trafficking, the study also emphasises the structural causes of these problems, such as economic inequality and patriarchal standards.

The study highlights the concerning data on crimes against women in India, where victims are frequently discouraged from pursuing justice due to cultural shame.

It talks on how this kind of violence affects women's health, financial security, and general involvement in society.

The report also examines current legislative frameworks intended to safeguard women's rights and pinpoints enforcement flaws that fuel ongoing violence.

Ranka promotes all-encompassing solutions that go beyond legal actions, calling for women's empowerment, solidarity with other movements, and public awareness.

The conclusion asserts that in order to combat violence against women, create a social climate that supports gender equality, and eradicate these injustices, multifaceted preventative tactics are crucial.

¹Introduction:

One of the most pervasive violations of human rights worldwide is violence against women and girls, which happens every day, many times a day, everywhere. It limits girls' and women's active and equal involvement in society and has serious short- and long-term health, economic, and psychological effects.

It is impossible to quantify the magnitude of its effects on families, people, and society as a whole. Violence against women and girls has also increased, preexisting issues have gotten worse, and new and emergent threats have emerged as a result of humanitarian, health, and environmental crises including the COVID-19 pandemic, conflict, and climate change.

In addition to other often used phrases that every gender equality activist should know, this article provides an overview of the most prevalent forms of violence against women and girls. However, it would take an additional 132 years to complete the gender gap worldwide, according to the, Global Gender Gap Report 2022. up terms of total gender equality, India came up at number 135 out of 146 nations examined. ²

Violence against women

Violence committed against a woman because she is a woman or that disproportionately impacts women is referred to as gender-based violence. It includes coercion, threats of compulsion, acts that cause physical, mental, or sexual anguish or injury, and other types of deprivation of liberty.

The root causes of violence against women include prejudice against women and unequal power and wealth distribution between males and women.

According to the NCRB (National Crime Report Bureau) the crime rate against women in India in 2022 was 4,45,256 were registered which is 4% comparatively higher than the crimes registered in 2021 which was 4,28,278.³

¹ 2024, 27 June (2024) *FAQs: Types of violence against women and girls*, UN Women – Headquarters. Available at: <https://www.unwomen.org/en/articles/faqs/faqs-types-of-violence-against-women-and-girls> (Accessed: 08 March 2025).

² GLOBAL GENDER REPORT 2022

³ NCRB Report (National Crime Report Bureau)

This census is about the registered crimes. Women in India; still in the 21st century hesitate to get registered the crimes that are done against them due to cultural norms, societal pressure, and most importantly family pressure and furthermore, some women believe that domestic violence is their fate and that they are not subject to any crimes as serious as it is.

The following list includes some of the most heinous crimes that primarily affect women.

Violence against women in many forms

Violence against intimate partners

Intimate relationship violence includes behaviours including physical aggression, sexual coercion, psychological abuse, and controlling conduct by an intimate partner or previous intimate partner that cause bodily, sexual, or psychological harm. It is among the most common forms of violence against women in the globe.

One type of domestic violence is intimate relationship violence. Domestic violence is defined as violence committed in a private, domestic setting, usually between intimate partners or family members. Domestic violence is not just a problem for women; it also includes the abuse of children and elderly individuals in the household.

According to data; Worldwide, 27% of women aged 15–49 who are in a relationship report being physically or sexually abused by their spouse, according to the WHO.⁴

Sexual assault

Any harmful or non-consensual sexual behaviour that is forced upon a person is considered sexual violence. It includes sexual harassment, verbal abuse, threats, exposure, unwanted fondling, incest, forced sex, forced participation in sex, attempted or completed sex with a woman against her will, and more.

I want to tell you about the one instance that shocked me much when I heard about it. Thus, the event took place in Kerala, southern India, when 64 men's raped a 13-year-old girl in his

⁴ *Violence against women* (no date) *World Health Organization*. Available at: <https://www.who.int/news-room/fact-sheets/detail/violence-against-women> (Accessed: 18 March 2025).

hometown, namely a girl from a lower caste (Dalit). These men were her neighbours, a sports coach, and even a friend of her father. Men ranged in age from 17 to 47, while she was just 13 years old. Her neighbour first harassed her, recorded it, and sent it to a couple of his friends. When the government counsellor visited her town and had given the counselling of sexual assault in the village then the girl visited the psychologist and had narrated the whole incident, this episode was documented. This is the harsh and quiet world in which the girl kid does not know what is proper or not appropriate.⁵

For this reason, the government has taken a number of actions to prevent sexual assault and educate people about their rights and the laws that protect women from these crimes.

Femicide

The killing of a girl or woman due to her gender is known as femicide. Stereotypes, prejudice, and unequal power dynamics are the causes. It is the pinnacle of brutality against women. Femicide occurs in both private and public settings, as well as in all kinds of relationships. It may follow acts of sexual, physical, or psychological abuse. It has anything to do with forced labour, slavery, or human trafficking. The bodies of the victims are displayed in order to terrify and demonstrate dominance.

Honour killings are sexually motivated murders in which family members, mostly women or girls, kill the victim in an attempt to regain the honour they believe has been lost. Honour murders have a negative impact on their female relatives and are predicated on the local community's idea of sexual purity.

The Indian parliament has occasionally passed legislation to defend and preserve the rights of women. Despite the fact that these rules have been in place for decades, the number of registrations of femicide cases has increased and the number of cases has gone down.

This might be a sign of success in and of itself. This section discusses the domestic violence act, the prenatal sex determination regulations, and the dowry prohibition laws in order to comprehend their impact on femicide in India. Section 498A of the Indian Penal Code, 1860,

⁵ Mollan, C. (2025) *Kerala: Dalit woman in India alleges rape by 64 men over five years*, BBC News. Available at: <https://www.bbc.com/news/articles/cedn031d563o> (Accessed: 18 March 2025).

is the first statute to combat femicide.⁶

Trafficking in persons

The worldwide crime of human trafficking involves the dealing and profiting from human persons. Traffickers control their victims with a variety of tactics, including psychological coercion, extortion, physical and sexual assault, and the confiscation of identification papers. Exploitation may take place in the victim's home country, during travel, or in the country of destination.

Trafficking of persons can take many different forms. Although children of all ages and backgrounds, women, and men are all susceptible to the crime, women are the ones who are more frequently targeted, and girls are the ones who are most frequently trafficked for sex.

Technology-enabled violence or the internet

Technology-enabled abuse that inflicts injury and violates rights is referred to as "technology-enabled violence against women." It happens both online and offline, like in the case of using GPS tracking to restrict a woman's movement.

According to a study by the National Commission for Women, 54.8% of women have experienced cyber harassment, while 26% of them have reported cases of morphed images or videos.⁷ Intimate partner violence and other types of violence against women are made worse by technology-enabled gender violence, which also introduces new forms like internet stalking and AI deepfake abuse.

Some women and girls are more vulnerable than others when it comes to the abuse they encounter online. Public personalities, journalists, activists, politicians, young ladies, and

⁶ Section 498A, Indian Penal Code, 1860: Husband or relative of husband of a woman subjecting her to cruelty. —Whoever, being the husband or the relative of the husband of a woman, subjects such woman to cruelty shall be punished with imprisonment for a term which may extend to three years and shall also be liable to fine. Explanation.—For the purpose of this section, “cruelty” means— (a) any wilful conduct which is of such a nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health (whether mental or physical) of the woman; or (b) harassment of the woman where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand for any property or valuable security or is on account of failure by her or any person related to her to meet such demand.

⁷ Yadav, H. (no date) *UNVEILING THE DARK SIDE OF CYBERSPACE: A STUDY OF CYBER CRIMES AGAINST WOMEN IN INDIA*. , *IJFANS INTERNATIONAL JOURNAL of FOOD and NUTRITIONAL SCIENCES*. Available at: <https://ijfans.org/uploads/paper/bb1038ebab972d9fa24b1706e43755bc.pdf> (Accessed: 18 March 2025).

feminists are among them.

Violence on the internet can include:

threatening communications known as cyberbullying. Sending naked pictures or texts without permission is known as non-consensual sexting. Doxing is the public disclosure of a victim's personal data.

- In 2020, a man she met on a dating app tormented and cyberstalked a young lady in Delhi for more than a year. The guy threatened to publish her intimate images online and harassed her using several false names.

Why women's faces discrimination:

It's crucial to understand the reasons behind the prejudice women face before figuring out how to stop crimes against them.

- **Regressive Value System:** Regardless of caste, class, or other factors, women and girls are nonetheless viewed as permanent shock absorbers.
- **Patriarchal Mindset:** This is a result of the neo-liberal economy's restoration of patriarchy.
- **Unaltered Behaviour:** Male mindsets and social attitudes do not change in spite of high levels of education.
- **Gender-Based Violence:** Crime against women and gender-based violence were exacerbated by practices like as honour murders, female genital mutilation, child marriage, and dowry abuse.
- **Impact of COVID-19:** Gender-based violence is rapidly rising as a result of the COVID-19 pandemic's increased economic and social hardship, as well as its restrictions on travel and social isolation policies.
- **Gender-Based Violence:** Crime against women and gender-based violence were exacerbated by practices like as honour murders, female genital mutilation, child marriage, and dowry abuse.
- **Correct application of the law:** One of the primary causes of the rise in crimes against women is the improper application of the law.
- **Crimes against women continue to increase despite the fact that there are several laws in place to address these issues.**

- Economic dependent: For a variety of reasons, women are typically less financially independent than males. For example, they are not granted the same opportunities in school, employment, and other fields, and they receive lower pay for doing the same work.⁸

Also, these are only a few of the reasons that have been presented; there are many more. However, these are the most famous ones.

⁹Solutions against women's violence:

Violence hinders women's ability to contribute to society and harms their general health. Their family, community, and the nation as a whole suffer from violence. From increased health care costs to legal fees and lost production, violence is incredibly expensive.

There are 104 countries with positive domestic violence laws out of 165 with anti-domestic violence laws. In contrast, states with domestic violence laws had lower rates of intimate partner violence (9.5 percent versus 16.1 percent) than those without such laws. Stopping complete violence against the women is imaginable for society due to the rigid culture, religious practices, and also patriarchy society. But; there are some solutions that can be taken into consideration for not stopping the violence against the women's or girls. Violence encompasses not just physical but also mental forms of aggression. Because emotional stress also affects women and renders them weaker and less effective, physical remedies alone cannot assist them in overcoming the severe challenges they face. It is more crucial that women speak up about the injustices they are experiencing in public before anybody steps in to assist other women. Some solutions are listed below:

1) Organize solidarity with other movements; Together, we are more powerful.

Racism, homophobia, xenophobia, ableism, poverty, and climate change are just a few of the suffering and injustice processes that give rise to and naturally accommodate violence against women and girls.

Encourage activists from other groups to join yours, and use other political and social movements to bolster the fight against gender violence.

⁸ Kgs (2024) *Crime against women rises, UPSC Current Affairs 2025*. Available at: <https://currentaffairs.khanglobalstudies.com/crime-against-women-rises/> (Accessed: 12 March 2025).

⁹ 2022, 18 November (2022) *Push forward: 10 ways to end violence against women, UN Women – Headquarters*. Available at: <https://www.unwomen.org/en/news-stories/feature-story/2022/11/push-forward-10-ways-to-end-violence-against-women> (Accessed: 08 March 2025).

Together, we can halt the opposition to women's rights, support feminist groups throughout the world, and take action to permanently eradicate violence against women and girls. There are various numbers of organisations, NGO's, reformers, socialist and independent women's also have fight for the rights and had actively supported other women to get justice.

2) **Speak up and speak up!**

Everywhere we look, we see violence against women, but it doesn't have to be this way—unless we take action. Speaking up is more important than ever in the face of escalating anti-feminist forces.

Violence against women Less than 40% of women who have been violated receive any form of assistance, and taboos keep offenders free and prevent women and girls from getting the support they need.

3) ¹⁰**Recognise the problem and the red flags**

There are various kinds of violence against women. It may be emotional, sexual, or physical. It can be done by a lover or a stranger, in public or private, offline or online. Regardless of the how, where, or why, it is utilised to keep women and girls from actively and equally participating in society and has detrimental short- and long-term repercussions on them.

Give activists and survivors a sense of solidarity. Make their tales and voices heard louder. Make room for discussion, both online and offline.

4) **Bring sexual harassment to light.**

Most women experience sexual harassment at some point in their life. Trivialising offensive conduct simply helps to normalise it further, whether it takes happening in the office, on the street, or online.

Additionally, frequent types of harassment, such as online harassment, sexual jokes and remarks, and catcalling, all contribute to women and girls feeling uncomfortable and dangerous in public places. They contribute to the persistence of the preconceptions and biases that fuel sexism. Additionally, they promote a culture of impunity in which

¹⁰ 2022, 18 November (2022) *Push forward: 10 ways to end violence against women*, UN Women – Headquarters. Available at: <https://www.unwomen.org/en/news-stories/feature-story/2022/11/push-forward-10-ways-to-end-violence-against-women> (Accessed: 08 March 2025).

women can suffer harm without facing repercussions. O

Encourage your friends to think about their own conduct and to speak out if someone is being pushed too far in order to create a safe environment both online and offline. Or ask for assistance from others it threatens.

5) **Call for more stringent laws**

There are still twenty-one years left before laws prohibiting violence against women are enacted anywhere.

The world needs more proactive defence policies to prevent and eliminate women human rights defenders and women rights activists and advocates' violence, harassment, intimidation, threats, and discrimination.

Laws that safeguard the rights of women in India:

Since we were discussing solutions, it is quite important that, in addition to all other remedies, one seek legal advice. In India, different laws, sections, and acts have been established and enforced to provide a better and more free existence. If a woman is experiencing such challenges, the first step should be to seek legal assistance; if the law fails to give adequate justice, the different measures listed above can also be used. But the first and the prominent step is the legal measure.

The laws safeguarding the women's right in India are as follows:¹¹

The Protection of Women Against Domestic Violence Act 2005

One of the important Acts and laws for women in India. Husbands who mistreat, harass, or assault women in their own homes face severe legal repercussions under the law. In order to ensure their safety and general well-being, the law works to give protection orders, residency orders, and financial assistance.

Dowry Prohibition Act 1961

The Act's primary goal was to eliminate the dowry threat in India. It made dowry giving and receiving absolutely illegal. It also seeks to safeguard women who desire marriage but are prevented from doing so due to petty demands for dowries made by the prospective groom.¹²

¹¹ National commission for women; available at <https://www.ncw.gov.in/> (Accessed on: 18march2025)

¹² Admin (2024) *Empowering women: Understanding laws for women in India*, LexisNexis Blogs. Available at: <https://www.lexisnexis.in/blogs/laws-for-women-in-india/> (Accessed: 15 March 2025).

The Prevention, Prohibition, and Redressal of Sexual Harassment of Women at Work Act of 2013

It addresses workplace sexual harassment of women. It gives women protection and a legal foundation to assist stop such harassment, resulting in a secure and equitable workplace free from sexual harassment and abuse of women. The Act requires the creation of POSH Policy and internal committees to handle complaints and expedite case resolution.

The following are some more Acts that have been passed and are in effect in India:

The Medical Termination of Pregnancy Act, 1971¹³

The Maternity Benefit Act, 1961¹⁴

The Equal Remuneration Act, 1976¹⁵

The Prohibition of Child Marriage Act, 2006¹⁶

The Indecent Representation of Women (Prohibition) Act, 1986¹⁷

The National Commission for Women Act, 1990 (NCW)¹⁸

Conclusion for stopping the crimes against women's

There are a number of other approaches that can be taken to eliminate the violence against women that has been going on for decades and continues to be practiced in modern times. However, I believe that these approaches are more suitable and have the potential to have a greater influence on society. Furthermore, they can assist women in developing and making a positive change in society.

¹³ Parliament. (1971). THE MEDICAL TERMINATION OF PREGNANCY ACT, 1971 [Legal]. In *THE MEDICAL TERMINATION OF PREGNANCY ACT, 1971*. <https://www.indiacode.nic.in/bitstream/123456789/1593/1/A1971-34.pdf> (Accessed on: 15 march 2025)

¹⁴ Parliament. (1961). THE MATERNITY BENEFIT ACT, 1961. In *THE MATERNITY BENEFIT ACT, 1961*. https://www.indiacode.nic.in/bitstream/123456789/17115/1/maternity_benefit.pdf (Accessed on 17 march 2025)

¹⁵ *Equal Remuneration Acts and Rules, 1976 Ministry of Labour & Employment|Government of India*. (n.d.). <https://labour.gov.in/womenlabour/equal-remuneration-acts-and-rules-1976>(Accessed on: 17 march 2025)

¹⁶ Parliament of India. (2007). THE PROHIBITION OF CHILD MARRIAGE ACT, 2006. In *THE PROHIBITION OF CHILD MARRIAGE ACT 2006*, https://www.indiacode.nic.in/bitstream/123456789/15943/1/the_prohibition_of_child_marriage_act%2C_2006.pdf(accessed on 17th march 2025)

¹⁷ Parliament of India. (1986). THE INDECENT REPRESENTATION OF WOMEN (PROHIBITION) ACT, 1986. In *THE INDECENT REPRESENTATION OF WOMEN (PROHIBITION) ACT, 1986*. https://www.indiacode.nic.in/bitstream/123456789/15350/1/indecnt_representation_of_women_%28prohibitio n%29_act%2C_1986.pdf(accessed on 17th march 2025)

¹⁸ Parliament of India. (1990). THE NATIONAL COMMISSION FOR WOMEN ACT, 1990. In *THE NATIONAL COMMISSION FOR WOMEN ACT, 1990*. <https://www.indiacode.nic.in/bitstream/123456789/1944/1/199020.pdf>(accessed on 17th march 2025)

In conclusion, India's high rate of crimes against women is a serious problem that has to be addressed right now. The safety, well-being, and rights of women in the nation are still seriously threatened by violence against women and girls, which can take many forms, including femicide, sexual assault, gender-based violence, trafficking in persons, and violence made possible by technology. A multifaceted strategy encompassing legislative changes, community education, and socioeconomic empowerment is required to address the underlying causes of these crimes, which include regressive value systems, patriarchal attitudes, economic reliance, and the effects of the COVID-19 epidemic. Although India has put in place a number of laws and actions to protect women's rights, more public awareness, stronger enforcement, and the encouragement of unity across diverse social and political groups are urgently needed to stop violence against women.

In addition, encouraging women to speak up, identifying and resolving warning signs, exposing and combating sexual harassment, and pushing for stricter legislation are all crucial elements in building a more secure and just society for Indian women. India can significantly reduce and eventually eradicate crimes against women by implementing these policies, creating a society in which women can participate fully and equally without fear of prejudice or violence.

