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## The Current Crisis: Breaking the Silence on Abuse against Women

Bhavana TS<sup>a</sup> Bhumika R<sup>b</sup>

<sup>a</sup>BMS College of Law, Bengaluru, India <sup>b</sup>BMS College of Law, Bengaluru, India

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*Women's place has been glorified in Indian society, as evidenced by ancient literature such as the Manusmriti and the Rigveda, which assert their religious importance. However, despite this cultural reverence, crimes against women continue to rise at an alarming rate, this paper will focus on some of the most brutal crimes against women in the world today; rape, sexual abuse, and some cases of violence against women which are indeed shocking and ghastly. This article is an attempt to analyse the crimes against women to understand the cycles of violence perpetuated by the social and legal systems that fail to protect them adequately. A tremendous amount of literature on crime and deviance discusses the rationale behind certain behaviours considered criminal in some regions and times, while not in others. Also, the paper shall try to capture the impact of violence on women's health, turning to the broad dimensions of violence and its unrelenting base of physical, emotional, and social ramifications. Yet these crimes bring out only some of the glaring incongruities between the romantic image of women conjured up by historians, versus their actual state. The increasing number of cases of child trafficking, coupled with acid attacks, signifies the desperate need for strict laws.*

**Keywords:** *women modesty, rape, acid attack, child and women trafficking.*

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## INTRODUCTION

Violence towards women is still a prevalent problem cross-culturally and socially. Irrespective of the strides made in gender equality, there still exists a broad range of violence women are exposed to, including domestic violence and sexual violence. These crimes do immediate physical and psychological harm to the victims and contribute to the larger societal issues of gender inequality, discrimination, and erosion of human dignity.

Protecting and revering women has been written about in ancient Indian texts. As Manu, the sage said '*Yatra naryastu pujiyante, ramante tatra devata; yataitaastu na pujiyante, sarvaastatrafalaah kriyaah.*'<sup>1</sup> This means that where women are honoured, god rejoices, and where women are not revered, all efforts are fruitless, this ancient wisdom tells us to respect and protect the dignity of women and treat them as the pillars of society.

Despite this historical reverence, women are still exploited; it is a situation that demands urgent attention. This stark contrast between the ideal treatment of women and the reality of their exploitation demands a practical legal framework to address the various forms of abuse that exist in today's society. Among the most disturbing of these offences are those that infringe upon a woman's dignity, causing enduring physical and emotional trauma. The ensuing discussion aims to explore these violations, focusing on their legal ramifications and the pressing need for more rigorous protective measures.

## QUESTIONABLE CLAIMS AGAINST WOMEN

**Outraging the Modesty of Women:** The incidence of sexual offences against women has risen significantly in recent years, leading to widespread concern and distress. One particularly heinous crime that profoundly impacts women, often leaving them with lasting trauma, is the offence known as Outraging the Modesty of a Woman. This offence is clearly defined under Section 79 of the Bharatiya Nyaya Sanhita 2023<sup>2</sup>. This legal provision is especially relevant in cases of gender-based violence that occur during ethnic conflicts, where women are often the most vulnerable targets.

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<sup>1</sup> M Ganganath Jha, *Manusmṛiti*, 10 Vols: With the 'Manubhasya' of Medhatithi (Motilal Banarsidass 1926)

<sup>2</sup> Bharatiya Nyaya Sanhita 2023, s 79

**The Case of Kuki-Zomi Women in The Manipur Crisis:** In a clash between the Meiteis, Kukis, and Nagas communities, A disturbing video surfaced showing two Kuki-Zomi women being paraded naked and sexually assaulted by a mob of men during the early stages of the Manipur conflict. The incident occurred on May 4 but remained unknown to the public for two months. This incident displays gendered violence, where women's bodies were weaponised in an ethnic conflict. This tragedy is a systematic oppression of women, particularly in socio-economically and politically marginalised communities.<sup>3</sup> Recognising the seriousness of such offences, the judiciary has, in many cases, upheld the need for stringent action against perpetrators.

**In the case of Ajahar Ali v State of West Bengal,**<sup>4</sup> the Hon'ble Supreme Court held that with the social condition prevailing in society, the modesty of a woman has to be strongly guarded, and the Courts should not show any leniency to the offenders, even if the offender is a minor. The appellant, Ajahar Ali, was found guilty of the offence punishable under Section 354 of the Indian Penal Code (IPC) by a Magistrate Court. However, judicial interpretations of what constitutes outraging the modesty of a woman have varied, sometimes overlooking non-physical forms of abuse.

In the other instance, where the Delhi High Court has ruled that insulting a woman being rude to her, and not behaving with her in a chivalrous manner, as she would expect one to behave, will not be covered under the definition of outraging the modesty of a woman as per Section 509 of Indian Penal Code, 1860.<sup>5</sup> This judgment does not overlook the emotional and psychological harm caused by verbal abuse, insults, or disrespect, which can deeply affect a woman's dignity and well-being. By limiting the scope of modesty to physical actions, the ruling fails to acknowledge that women deserve respect and courtesy in all interactions, not just protection from physical harm. This interpretation is inconsistent with other legal frameworks, such as the Sexual Harassment Act, which recognises the harm of verbal abuse,

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<sup>3</sup> Soumit Nath, 'Manipur Women Paraded Naked: Black Day for Indian Democracy' (2024) SSRN <[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=4902653](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4902653)> accessed 10 March 2025

<sup>4</sup> *Ajahar Ali v State of West Bengal* (2013) 10 SCC 31

<sup>5</sup> 'Insulting woman, being rude to her wouldn't amount to outraging modesty: HC' *The Economic Times* (29 August 2023) <<https://economictimes.indiatimes.com/news/india/insulting-woman-being-rude-to-her-wouldnt-amount-to-outraging-modesty-hc/articleshow/103180417.cms?from=mdr>> accessed 09 March 2025

and it can be seen as reinforcing outdated gender norms that undermine women's rights and dignity. It can be questioned for its narrow interpretation of modesty.

## RAPE AS A BRUTAL FOE

The Indian rape laws have evolved in response to societal changes, legal reforms, and increasing awareness of gender-based violence. Initially defined under the Indian Penal Code 1860<sup>6</sup>, the law was restrictive, excluding broader forms of sexual violence. The landmark 1983 amendment expanded the definition of rape and began recognizing a woman's right to consent.

The 2012 Delhi gang rape case led to the formation of the Justice Verma Committee, which recommended significant changes, resulting in the 2013 Criminal Law (Amendment) Act<sup>7</sup>, broadening the definition of rape, introducing stricter penalties, and addressing new offenses like stalking and acid attacks. Despite these advancements, challenges remain, including low conviction rates, cultural barriers, delayed justice, and the ongoing debate over the criminalization of marital rape. Continued legal reforms, better implementation, and societal shifts are necessary to ensure justice for survivors of sexual violence. The following real-life incidents demonstrate the magnitude of the problem and the urgent need for continued legal and social reform.

**In the case where Drunk man rapes his 52-year-old mother in Rajasthan:** One of the most shocking cases of sexual violence occurred in Bundi district, Rajasthan, where a 28-year-old man was arrested for raping his mother while intoxicated. The crime took place when the mother and son were returning home after visiting her brother's house. As they walked through an isolated area, the son, under the influence of alcohol, assaulted his mother. Displaying immense courage, the victim reported the incident to the Dabi Police Station with her younger son and daughter, leading to the accused's arrest and confession to the crime.<sup>8</sup>

Motherhood is considered sacred. As emphasised in ancient scriptures, '*Adinamatravishad yeshiva Suchirahinsyaman Uroiya Vivadhrate, Anu Yat Purva Aruhat Sanajuvo Ni*

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<sup>6</sup> Indian Penal Code 1860

<sup>7</sup> 2013 Criminal Law (Amendment) Act 2013

<sup>8</sup> 'Drunk man, 28, rapes mother in Rajasthan, arrested: Police' NDTV (04 September 2024)

<<https://www.ndtv.com/india-news/drunk-man-28-rapes-mother-in-rajasthan-arrested-police-6490885>> accessed 10 March 2025

*Navayasishwavarasu Dhavate'*,<sup>9</sup> which says, Motherhood is a spiritual transformation of wifehood. The wife may and does demand, but the mother feels it is her privilege to give. If a woman as a wife is socially significant, a woman as a mother is spiritually glorious. Vedic culture trains every man to look upon all women as forms of the one Divine Mother. According to our scriptures, the mother is more worthy of reverence than the father or teacher. However, such brutal incidents expose the reality of the deep-seated violence that exists within families, shattering the very foundation of trust and respect.

**Minor girl Rape in Kerala:** In another disturbing case, a special investigation team (SIT) of the Kerala Police arrested 44 individuals in connection with the alleged sexual abuse of a Dalit girl in Pathanamthitta. The victim, now 18, reported being sexually abused by 62 individuals since she was 13. Investigations revealed she was gang-raped at least five times; it was revealed that several of the accused had taken her to various locations in vehicles and subjected her to abuse.<sup>10</sup> This case exposes the deep-rooted issue of sexual exploitation. Despite stricter laws under the POCSO Act, many minors continue to be victims of systemic failure, a lack of law enforcement, and social stigma

**Kolkata Court awards Death Penalty to the Perpetrator for Rape, Attempted Murder of seven-month-old Infant:** Some crimes are so horrific that they shake the conscience of an entire nation. One such crime is that a 34-year-old man, Rajib Ghosh (alias Gobra), was sentenced to death by hanging for kidnapping, raping, and attempting to murder a seven-month-old infant. Convicted under the POCSO Act, the court called the case the rarest of the rare and awarded the death penalty within 75 days of his arrest. The victim's family was granted ₹10 lakhs as compensation. Ghosh was arrested and found guilty under various sections of the Bharatiya Nyaya Sanhita (BNS) and the POCSO Act.<sup>11</sup> The swift judicial action in this case is commendable, however, it also emphasises the critical need for a judicial system that consistently ensures timely justice for all victims of sexual violence.

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<sup>9</sup> Rajbali Pandey, *Rigveda* (Diamond Books 2005)

<sup>10</sup> 'Kerala minor girl rape: 44 arrested, two accused abroad, say police' *The Hindu* (15 January 2025) <<https://www.thehindu.com/news/national/kerala/more-accused-arrested-in-kerala-minor-girl-rape/article69098841.ece>> accessed 17 March 2025

<sup>11</sup> Shrabana Chatterjee, 'Kolkata court awards death penalty to perpetrator for rape, attempted murder of seven-month-old infant' *The Hindu* (18 February 2025) <<https://www.thehindu.com/news/cities/kolkata/kolkata-court-sentences-man-to-death-for-rape-of-seven-month-old-infant/article69234232.ece>> accessed 10 March 2025

**Man held for Rape and Murder of daughter in Madhya Pradesh:** In yet another horrifying case of betrayal and brutality, a man was arrested in Madhya Pradesh's Guna district for allegedly raping and killing his 8-year-old daughter and throwing her body in a well, police said. The crime came to light when the child's grandfather reported her missing on September 11. Days later, her body was discovered in a well, bound by the legs and arms to a stone.<sup>12</sup> This case reflects the extreme vulnerability of children to sexual violence, even within their own families. Despite existing child protection laws, cases like these continue to surface, demanding a more stringent and proactive approach to child safety.

## VICTIMS OF ACID ATTACK

Beauty is only skin deep. Whoever came up with this line probably had never met an acid attack victim.<sup>13</sup> Laws addressing acid attacks are often inadequate, failing to offer sufficient protection. Acid attacks are an extreme and horrific form of violence, predominantly targeting women and girls. When acid is thrown at a victim, it is an act of brutal intent, meant to cause permanent disfigurement, excruciating pain, and often, death. The consequences are not only physical but also psychological, leaving survivors to endure a lifetime of trauma.

**In State of Karnataka by Jalahalli Police Station v Joseph Rodrigues S/o V.Z. Rodrigues:** The accused, Joseph Rodriguez, the ex-boss of the victim, threw 1.5 litres of sulphuric acid on her when she decided to quit her job. The acid melted her face, fused her shoulder and neck, burnt a hole in her head, merged her fingers, and blinded her for life. The accused was convicted under section 307<sup>14</sup> and was sentenced to imprisonment for life. A compensation of Rs. 2,00,000 in addition to the Trial Court fine of INR 3,00,000 was paid to the victim. This is a landmark case, as it was the first time a large sum was awarded to the victim to meet her medical expenses.<sup>15</sup>

<sup>12</sup> Mehel Malpani, 'Man held for rape and murder of daughter in Madhya Pradesh' *The Hindu* (15 September 2024) <<https://www.thehindu.com/news/national/madhya-pradesh/man-held-for-rape-and-murder-of-daughter-in-madhya-pradesh/article68645939.ece>> accessed 12 March 2025

<sup>13</sup> Naveen Ammembala, 'I was seen only as a commodity: acid attack survivor Haseena Hussain' *Hindustan Times* (30 July 2013) <<https://www.hindustantimes.com/india/i-was-seen-only-as-a-commodity-acid-attack-survivor-haseena-hussain/story-OSjNGmLPWbzDZqQIKOcOGP.html>> accessed 12 March 2025

<sup>14</sup> Indian Penal Code 1860, s 307

<sup>15</sup> Meghna Bajpai and Sugandha Singh, 'Acid Attack: A Burning Issue In India' (2015) 3(2) *Galgotias Journal of Legal Studies* <[https://www.galgotiasuniversity.edu.in/pdfs/Acid-Attack-A-Burning-Issue-in-India\\_Meghna-Bajpai-Sugandha-Singh.pdf](https://www.galgotiasuniversity.edu.in/pdfs/Acid-Attack-A-Burning-Issue-in-India_Meghna-Bajpai-Sugandha-Singh.pdf)> accessed 10 March 2025

Over the years, various types of acid attacks have been recorded under sections related to bodily harm, grievous injury, murder, and similar offences. However, the nature and impact of acid attacks are distinct and complex, and the existing legal provisions regarding bodily harm and grievous injury often fail to provide adequate relief and punishment. Additionally, Police frequently exercise discretion in determining the appropriate sections to apply in cases of acid attacks. This discretion can sometimes be influenced by gender bias, corruption, or misjudgment.

## WOMEN AND CHILD TRAFFICKING

Poverty and illiteracy are primary drivers of human trafficking, making it a pervasive issue across the globe. Victims, often vulnerable individuals, are coerced into a range of exploitation, including forced sex work, physical and emotional abuse, forced marriages, and bonded labour. Many are manipulated into criminal activities, stripped of their freedom, and denied basic human rights. Traffickers prey on desperation, exploiting the lack of education and economic opportunities, subjecting individuals to unimaginable suffering. This form of modern-day slavery violates the dignity and rights of individuals, leaving survivors with lasting scars, both physically and psychologically.

From ancient civilizations, trafficking evolved into the white slave trade, where women and children were captured in wars and sold as slaves. A Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, was adopted in the UN Protocol in 2000.<sup>16</sup>

Various other domestic laws were also adopted; however, human trafficking remains a global crisis today, with vulnerable women and children continuing to be exploited for forced labour and sexual purposes. Despite the adoption of international protocols and domestic laws to combat human trafficking, the ground reality remains grim, as seen in cases like that of Geeta Arora alias Sonu Punjaban, whose conviction highlights the persistent nature of this crime.

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<sup>16</sup> Office of the High Commissioner for Human Rights, *Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime* (2000)



**Sonu Punjaban gets 24 years in Jail for Trafficking a Minor:** Geeta Arora alias Sonu Punjaban, accused of trafficking a 12-year-old girl for prostitution, was awarded a 24-year prison sentence by a Delhi court. This is the first time the 35-year-old Woman has been convicted in such a case. While passing judgment, the court observed that she has no right to live in a civilised society and crossed all limits to be called a woman and deserves the severest punishment provided under the law. The court also noted that Punjaban is a habitual offender.<sup>17</sup>

According to the Trafficking in Persons Report of July 2019, which is issued by the State Department of the United States, India has been placed under the Tier-2 category in the list of countries. This implies that India is making attempts to curb human trafficking through legislative and constitutional means, but despite these efforts, it is unable to control it.<sup>18</sup>

## REJECTION LEADS TO MURDER

The problem of violence against women for rejecting romantic overtures is an alarming and expanding issue. Apart from instances of rape, trafficking, and Acid attacks, women receive severe threats such as physical violence and homicide for declining a relationship or marriage proposal. This trend is commonly known as revenge violence. Ranging from honour killings to ghastly public assaults, the cases point toward the immediate necessity of stronger legal action, cultural change, and increased awareness to guard women's safety and rights.

**Neha was stabbed 14 times, Lost her life in 58 seconds.** In a horrifying case of homicide that took place in Hubballi District, Karnataka, a young college student named Neha lost her life in a brutal stabbing. On April 18, accused Fayaz, a former classmate, entered BVB College armed with a knife. He waited outside the exam hall for Neha, and when she refused to talk to him, he stabbed her repeatedly and brutally. The wounds concentrated on her neck and heart; 14 wounds were found, of which the deepest was in the neck at 2 inches, leading to her death within just 58 seconds. After the attack, the stab wounds ruptured her neck region,

<sup>17</sup> 'Who is Geeta Arora aka Sonu Punjaban?' *The Indian Express* (23 July 2020)

<<https://indianexpress.com/article/who-is/who-is-sonu-punjaban-6519888/>> accessed 10 March 2025

<sup>18</sup> Sanjum Bedi, 'The Bride Market Of North India - A Kibosh On Personal Liberty' (2022) 4(3) *Indian Journal of Law and Legal Research* <<https://www.ijlr.com/post/the-bride-market-of-north-india-a-kibosh-on-personal-liberty>> accessed 10 March 2025



cutting off the air pipes and blood circulation.<sup>19</sup> This case underscores the growing epidemic of gender-based violence, where rejection leads to fatal consequences. It emphasises the need for early intervention, education on gender sensitivity, and stricter enforcement of laws to prevent such senseless murders.

## HOW TO TACKLE THESE ATROCITIES AGAINST WOMEN?

Abuse targeted at women needs to be addressed immediately. The discrimination and violence against women can only be dealt with through education and awareness. One way to start tackling violence as a societal issue is by raising awareness about gender roles, women's rights, and the effects of violence. Also, changes to the law need to be made so that women's protection laws are effective and offenders are not granted impunity. The introduction of a death sentence to rapists under Bharatiya Nyaya Sanhita (BNS) 2023 has caused some controversy on how the law would be put into effect. Under the present law, the rapists would face death punishment under rarest of rare cases.

This raises the issue of whether or not this would be enough for ordinary rape victims who do not get the justice that they deserve. All rape survivors need to feel protected by the system so there is a need for legal reform that offers punishment and justice without being overly obstructive. Moreover, the problems presented by acid attacks form yet another legal concern that requires immediate action. Within Bharatiya Nyaya Sanhita (BNS) 2023, acid attacks are defined as grievous hurt, but those clauses are probably insufficient to deal with the devastating impacts that victims are sure to encounter for the rest of their lives. Women who suffer through acid attacks are not just physically burned, but their quality of life is challenged on an emotional and psychological level as well. A harsher, separate clause dealing exclusively with acid attacks would uphold the severity of such a crime and guarantee that the offender is punished for the irreparable damage inflicted on their victim's life.

International Human rights frameworks are being called upon to take into consideration the implementation of severe punishment includes flogging or capital punishment as a deterrent to serious crime however, this is highly controversial as it goes against the core principles of

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<sup>19</sup> Amit S Upadhye, 'Neha was stabbed 14 times, lost life in 58 seconds' *The New Indian Express* (23 April 2024) <<https://www.newindianexpress.com/states/karnataka/2024/Apr/23/neha-was-stabbed-14-times-lost-life-in-58-seconds>> accessed 10 March 2025

justice and human dignity and there is ongoing debate on the question of whether one, sole method of punishment is both legally and morally right. Yet, any effort in India has to focus on friendly and humane approaches based on prevention, rehabilitation, and respect for fundamental rights. Doing so requires the formulation of a strategy that includes numerous policies. To begin with, there can never be enough legal reforms to serve the dual purpose of guaranteeing women's rights and sanctioning infringement. Societal campaigns that seek to transform gender norms at the community level are essential. More stringent provisions and harsher sentences for rape and acid attack offenses as well as provisions for bride purchasing and other related offenses are also imperative.

## CONCLUSION

What remains in the life of a woman who has suffered such a horrific act? Too often, she is considered to be broken and defiled beyond repair, her worth and dignity irreparably damaged. A society that had idealistically viewed a woman's value emerging solely from her body and its purity now hastens to label her tainted without regard to the trauma, pain, and humanity of the woman. Hence, she is not viewed as a victim in need of pity, but as someone who will always carry the impact of a stain that's impossible to wash away.

Without addressing these social aspects, any negotiations on policies regarding women have to be termed as lacking in this case. Not only do the dilators and defenders of the law come from their society, but the enforcement of the laws also rests on the shoulders of social agents other than the legislators - the relatives of the victims, the policemen, and so forth.

In any case, this research is meant to encourage new ways of considering relations and treatment of crimes against women, proposing more severe legislative guidance and a higher level of survivor assistance, along with a radical attitudinal change toward women's rights and respect.