

## CYBER CRIME AGAINST WOMEN

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Internet has redefined the virtual life of ordinary individuals and has given a wide variety of opportunity to its users including women. It has given a platform to its users where they can exchange ideas, communicate with like-minded people and participate in the development of virtual societies as per their choices.

Social networking websites is one of the most popular segments of internet amongst its users. However there is a dark side to social networking websites too, it has become a sanctum for cyber criminals to victimize women, a peril target on the web, after children.

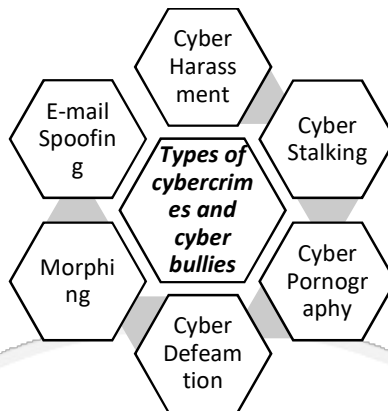
Even in today's modern world women are treated inferior to men in various spheres of the society which in turn creates a huge gender bias between men and women where the men think that even their wrong acts towards the women shall not be penalised. Cybercrime works in a similar manner where the internet offenders are not afraid of any authority which can punish them.

The world of internet has a virtual reality or even hide his true identity, this gift of web is used by the criminally minded to commit wrong acts and then hide under the blanket provided by the web.

### 4.1. What is Cybercrime?

'Cybercrime' is the term used for any illegal activity that uses a computer as its primary mode of commission. An offence that is committed against individuals or group of individuals with the criminal basis of harming either the reputation or any causing physical or mental harm to victim directly or indirectly, using modern telecommunication networks such as Web.

Women especially young girls inexperienced or who have been newly introduced to the world of web and fail to understand the vices of internet are considered as a vulnerable target, falling into the bait of cybercriminals and bullies.



- **Cyber Harassment**

The use of email, derogatory websites and instant messaging or otherwise harass an individual or group through personal attacks shall be defined as Cyber Harassment. This can be in the form of flames, sending offensive or cruel emails, harassing others by posting on blogs or social networking websites or otherwise harass an individual or group through personal attacks.

Cyber harassment is difficult to track as the person responsible for the acts of cyber harassment remains anonymous while threatening others online. This usually applies to school age children.

- **Cyber Stalking**

Basically the behaviour of the offender wherein he or she wilfully and repeatedly engages in a knowing course of harassment directed at another person reasonably or seriously alarming or terrorizing that person.

This is one of the most popular crimes of the web world.

This usually occurs with women who are stalked by men, or children who are stalked by adult predators or paedophiles. Cyber stalkers harass the victims through open publishing websites, discussion forums, websites and chat rooms.

The motivation of cyber stalkers can be considered less than 4 reasons:-

- a) Sexual Harassment
- b) Ego and power trips
- c) Obsession for love
- d) Revenge and hate

#### **4.2.Ritu Kohli Case <sup>23</sup>**

This was the first case of cyber stalking in India.

In this case, Mrs. Ritu Kohli filed a complaint in the police station against a person who used her identity to chat over the web mostly in and around Delhi for four consecutive days. She further complained that the person was chatting on the internet using her name and giving her

<sup>23</sup> <https://www.worldpulse.com/en/community/users/mukut/posts/22772>

address and even used obscene language. Moreover, that same person was also deliberately giving her phone number to the chatters and encouraged them to call her at odd hours.

Consequently, Ritu received 40 calls within the span of 3 days that too at odd hours. These calls created a mayhem in the complainant's personal life.

The offender's IP address was traced, investigation was done by the police and the cybercriminal was arrested. A case was registered under section 509 of IPC but later on the offender was released on bail.

Similar to the case of Email Harassment, Cyber stalking is not covered by the existing cyber laws in India. It is covered under the ambit of section 72 of the IT Act that the cyber criminal can be booked remotely for breach of confidentiality and privacy. The accused may also be booked under section 441 of IPC for criminal trespass and section 509 of IPC for outraging the modesty of a women.

- **Cyber Pornography**

It simply refers to the portrayal of sexual content on the internet. This is another threat to the female netizens as they never know which action of theirs is being recorded and would later on end up on the web.

The **DPS MMS scandal**<sup>24</sup> is a very famous case of cyber pornography where an MMS clip a school girl in compromising situation was made and distributed amongst the netizens.

Unlike other cybercrimes, Cyber Pornography is an exceptional case which has been covered in section 67 of the IT Act 2000.

Another example of cyber pornography would be the recent case of **Delhi Metro CCTV Footage Leaks**<sup>25</sup>. In this case the CCTV recording of couples getting intimate at metro stations which was recorded by the police security cameras was leaked on the internet.

- **Cyber defamation**

This kind of a situation arises when defamation takes place with the help of computers and/or the web.

**SMC Pneumatics (India) Pvt. Ltd. Vs Jogesh Kwatra**<sup>26</sup>

In this case cyber defamation was reported when a company's employee (the defendant) started sending defamatory, derogatory and obscene email's about its managing director. The emails were anonymous and frequent and were sent to many of their business associates in order to tarnish the goodwill and image of the firm (Plaintiff). The plaintiffs could identify the offender with the help of a computer expert and moved the Delhi High Court. The court granted an ad-interim injunction and restrained the defendant from sending emails which are obscene, derogatory or defamatory to the plaintiffs.

This was the very first instance of cyber defamation in India which was recorded.

<sup>24</sup> [https://en.wikipedia.org/wiki/DPS\\_MMS\\_scandal](https://en.wikipedia.org/wiki/DPS_MMS_scandal)

<sup>25</sup> <https://www.indiatoday.in/india/north/story/red-faced-dmrc-to-probe-cctv-clips-leak-169758-2013-07-10>

<sup>26</sup> <http://www.legalserviceindia.com/lawforum/index.php?topic=2240.0>

**The State of Tamil Nadu vs Suhas Katti**<sup>27</sup>– this was the case wherein a lady had to go through cyber defamation. Here obscene and defamatory messages were posted about a divorcee women on the yahoo message group. Moreover, emails ere also forwarded to the injured party by the offender with the help of a false email id created by him in the name of the victim (injured party). The incidence of posting the message resulted in annoying phone calls to the lady in the belief that she was soliciting.

- **Morphing**

It refers to the situation wherein the picture is edited up to a great extent that it looks completely different from the original one. In such cases what happens is that the cyber criminals download photograph of girls from the social networking site and then morph it with another picture in which the girl is in a compromising situation, so as to indicate that the girl whose picture was initially taken from social networking site indulged in such activities.

After all this the cybercriminal then starts blackmailing the victim of releasing those morphed pictures.

Such acts can be penalised under the IT Act. The offender can also be booked under IPC.

- **Email spoofing**

This refers to a situation wherein the email though by details show something else whereas in reality the email actually originated from some other source. This method is often used to extract personal information from the users and private images from unsuspecting ladies and later on these images are used to blackmail those ladies

### **4.3.Reasons for growth of cybercrime against women in India**

Many a times the cyber-crime goes unreported simply because the women feel shy and are scared of the stigma that might get attached and also the fear of defamation against her family. In many cases women start blaming themselves for the crime done to them.

Women are more vulnerable since they remain scared because of not knowing the identity of the offender and also because the fear that build up in them because of being blackmailed by the cybercriminal.

Moreover, women fear that if they get up and speak for themselves they might not get the amount of support they expect to be getting from their family members and also under the fear that what impression would the society form for them.

It is because of these fears that women do not get crime reported which results in giving these offenders high spirits to commit more such crime.

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<sup>27</sup> <http://lawmantra.co.in/tamil-nadu-v-suhas-katti-2004-case-related-to-the-posting-of-obscene-messages-on-the-internet/>

#### 4.4. What victims need to do?

Even after so much of modernisation women still fear getting such an incident of cybercrime reported and also the police doesn't take it much seriously. In such case victims should straight away contact the women assistance cell or an NGO which will guide them through the process and also will make sure that police does not take the case lightly.

