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An Overview of Crime against Women in India

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ABSTRACT

Crime against women is a global human rights issue that has become a major obstacle to the ideals of equality and freedom. In spite of observing faster economic growth, increased educational attainment, and greater female participation across various sectors, including education, space exploration, and decision-making, the country continues to grapple with a rising incidence of CAW. The underlying causes of crime against women are being identified by multiple studies across the world. The factors including women's education status, poverty, alcohol and substance abuse, gender inequality, entrenched patriarchal norms, and cultural practices have all been implicated in contributing to CAW. This article delves into the types and nature of crime against women in India based on the crime in India, NCRB report, supplemented by other sources. It attempts to explore the link between law, crime, and women theoretically and provides an analysis of the crimes committed against women, their varieties, and consequences. Indian women throughout the countries remained subjugated and oppressed because society believed in clinging on to orthodox beliefs for the brunt of violence, domestic as well as public, physical, emotional, and mental. Finally, the findings aim to form the design of effective mechanisms to counter the problem of crime against women in India.

Keywords: Women, violence, constitutional and legal provisions.

I. INTRODUCTION

Crimes against women are growing worryingly at local, regional, national, and worldwide levels. Regardless of current crime shadowing machineries and access to information and networking, assuring the safety and security of women has become a stern challenge for all.² It encompasses any form of gender-based violence that causes or is likely to cause physical, sexual, or psychological harm or suffering to women. This includes threats of violence, coercion, or arbitrary deprivation of liberty, regardless of whether it occurs in public or private life.³ It is unfortunate to note that crime against women has persisted throughout history as a

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² Shakthe Sharavana Kumar Crime Against Women - An Indian Scenario, Research Master Planning And Sustainability: Urban And Regional Planning, master of research submitted to the *École Polytechnique De L'université François Rabelais De Tours*, France 2015, P.1.

³ World Health Organization Violence against Women. (2021). <https://www.who.int/news-room/fact->

longstanding concern. Despite being recognized as a punishable offense and numerous legislative efforts on a global scale, incidents of CAW continue to rise. The repercussions of CAW extend both at an individual level and on a global scale.⁴ According to the United Nations Office on Drugs and Crime (UNODC), globally; approximately 89,000 women and girls were intentionally killed in 2022.⁵

The latest National Crime Records Bureau (NCRB) annual report has revealed a distressing surge of 4% in crimes against women in India throughout 2022. This includes cases of cruelty by husbands and relatives, abductions, assaults, and rapes. The NCRB report detailed a substantial escalation in reported crimes against women, soaring from 3, 71,503 cases in 2020 to 4,45,256 cases in 2022. The statistics for 2022 showed an alarming rise compared to the 4, 28,278 cases in 2021.⁶ The Government of India has implemented numerous legislative and preventive measures aimed at safeguarding women and reducing incidents of crime against women. These include the Criminal Law (Amendment) Act, 2018; the Legal Services Authorities (LSA) Act; the establishment of the National Commission for Women (NCW); initiatives such as Mission Shakti, Sakhi-One-stop Centers; along with campaigns such as the Digital Shakti Campaign and the Nirbhaya Fund. It is an eminent fact that the occurrence of crimes against women is a destructive indicator of growth, and India now faces a serious problem on this front. It is therefore essential to analyze the nature, roots, and forms of crime against women and discover solutions to the problem.⁷

(A) Objectives of Research Chapter

- 1) To understand and analyze the rapidly increasing crime trend against women in India.
- 2) To comprehend the legal framework in India for combating such crimes.

(B) Research Methodology

A mixed-method approach is used in this study to analyze various forms of crimes committed against women in India. For the present study, secondary data were used in accordance with the requirements of the objectives of the study. The secondary data was collected from the

sheets/detail/violence-against-women.

⁴ Kusuma Y Babu B, Elimination of violence against women and girls as a global action agenda, *Journal of Injury and Violence Research* Vol. 9, No.2 July 2017, P.119.

⁵ United Nations office on Drugs and Crime, Gender-related Killings of Women and Girls, 2023 <https://www.unwomen.org/en/digital-library/publications/2023/11/gender-related-killings-of-women-and-girls-femicide-femicide-global-estimates-2022>.

⁶ Crime Against women in India up by 4% the present of NCRB 2023 published by News Click, 5th December, 2023.

⁷ Ministry of Home Affairs. Measures taken by Government to prevent Crime against Women, 2019 Available at: <https://pib.gov.in/newsite/PrintRelease.aspx?relid=195670>

publications of the NCRB (National Crime Records Bureau, Govt. of India) and also from various sources such as articles, review papers, journals, and books on crimes against women.

II. CRIME AGAINST WOMEN IN INDIA

Crime against Women is a global issue that affects women of different races, ethnicities, socio-economic backgrounds, and nationalities. It's unfortunate to note that CAW has been a long-standing concern throughout history. The rise in CAW incidents is despite being recognized as a punishable offense and numerous legislative efforts on a global scale. CAW has consequences that affect both individuals and the global community.⁸The World Health Organization (WHO) states that one in every three women encounters some form of violence. It could be physical, emotional, or sexual violence either by an intimate partner or non-partner violence.⁹

Crimes that are specifically directed against women and in which only women are victims are characterized as 'Crime against Women'. It is equally important to clarify the concept of violence against women. Violence is also known as abuse and includes any sort of physical aggression or misbehaves. When violence is committed at home, it becomes domestic violence and involves family members such as children, spouse, parents or servants. Domestic violence may involve different means such as hitting, kicking, biting, shoving, and restraining, and throwing objects. Although women may be victims of any of the general crimes such as murder, rape, robbery, cheating etc., only the crimes which are directed specifically against women are characterized as "Crimes against Women."¹⁰

(A) Crime against women statistics at the national and state levels for the years 2020 and 2022

According to the study results, there was a significant difference in the occurrence of crimes between 2020 and 2022, both at the national and state levels. Specifically, at the national level, in 2020, the total cognizable CAW was 371,503, whereas, in 2022, this number increased to 445,256. Individuals close to the victim, such as their husband or relatives, were responsible for the highest proportion (30%) of the total cognizable CAW in 2020. The intention behind assaulting women with the intent to outrage their modesty was identified in 23% of crimes.

Additionally, nearly 17% of the total crimes took the form of kidnapping and abduction of women. Similar to the scenario in 2020, in 2022, the largest share of CAW, comprising 31.45%,

⁸ *Supra Note.3 P.118*

⁹ World Health Organization. Violence Against Women. (2021). <https://www.who.int/news-room/fact-sheets/detail/violence-against-women>.

¹⁰ *Supra note 1, P.11.*

was attributed to individuals closely associated with the victims. Moreover, almost 19.16% of the total crimes involved women being kidnapped and abducted. Following closely behind, 18.71% of the crimes were categorized as an assault on women with the intent to outrage her modesty. A comprehensive breakdown of the distribution of different forms of crime at the national level can be found in table No.1

Table No. 1 The total number of incidents of crime against women during 2020 and 2022 due to various forms of crime against women.

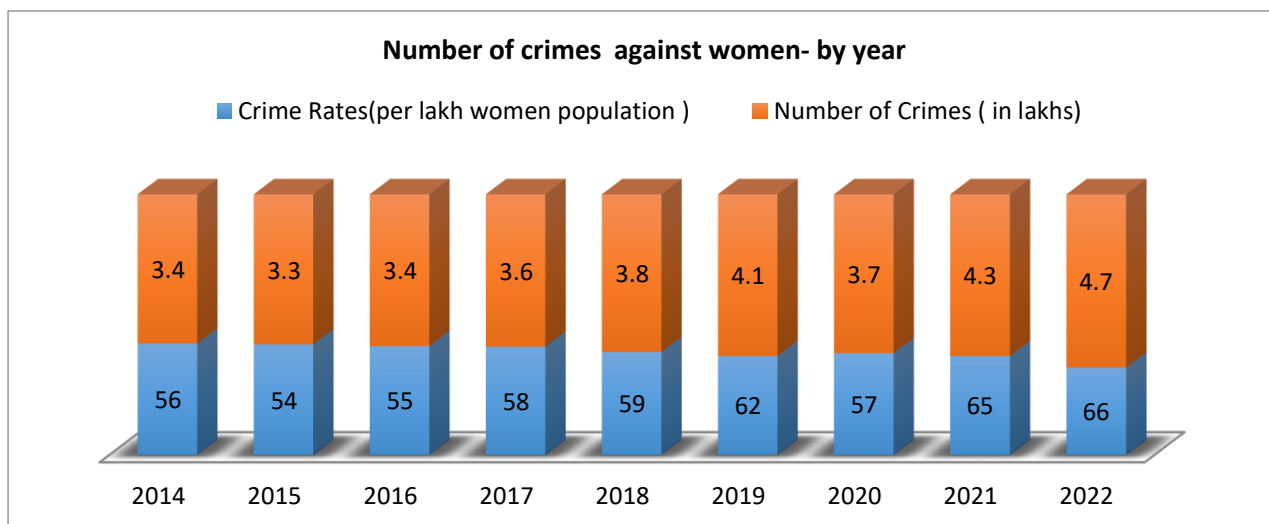
Sl.No	Type of crime	Total incidents for year 2020 (%)	Total incidents for year 2022 (%)
1.	Cruelty by husband or his relatives	111,549 (30.03)	140,019 (31.45)
2.	Assault on women with intent to outrage her modesty	85,392 (23.00)	83,344 (18.71)
3.	Kidnapping and abduction of women	62,300 (16.80)	85,310 (19.16)
4.	Protection of children from sexual violence act (girl child victims only)	46,123 (12.41)	62,095 (13.95)
5.	Rape	28,046 (7.55)	31,516 (7.08)
6.	Dowry-related (including dowry deaths)	17,332 (4.66)	19,929 (4.48)
7.	Insult to the modesty of women	7,065 (1.90)	8,972 (2.02)
8.	Abetment suicide of suicide	5,040 (1.36)	4,963 (1.11)
9.	Attempted rape	3,741 (1.00)	3,288 (0.74)
10.	Others	4,915 (1.32)	5,820 (1.31)
11.	Total cognizable (IPC+SLL) Crimes against women	371,503	445,256

Source: (*Frontiers in Public Health National Statistical Institute of Portugal*)¹¹

¹¹ Pooja et al., Crime against women in India: district-level risk estimation using the small area estimation approach *Frontiers in Public Health National Statistical Institute of Portugal, Portugal* 16th July 2024 P.4.

(B) NCRB reported crimes against women in India increased by 31% between 2014-2022

According NCRB records crimes committed against women under the Indian Penal Code (IPC) and Special and Local laws (SLL) such as the Protection of Women Domestic violence Act, Immoral Traffic (Prevention) Act, etc. As per this data, the total number of crimes against women was 3, 37,922 in 2014. This figure had risen to 4, 45,526 in 2022, showing a significant increase of over 31% in less than a decade. Even when compared to the total number of crimes per lakh women population, the crimes against women increased from 56.3 in 2014 to 66.4 by 2022. However, the only years during this period that saw a decrease in the number of crimes compared to the previous year were 2015, with 3, 27,394 crimes (down from 3, 37,922 in 2014), and the COVID-19 affected year of 2020, with 3, 71,503 crimes (down from 4, 05,881 in 2019). Apart from these two years, the number of crimes against women consistently increased each year during this period. **Figure .1**



Source: <https://factly.in/data-the-number-of-reported-crimes-against-women-increased-by-over-30-between-2014-2022/>¹²

Crimes against women have been on the rise in India from the year 2014 to 2019. If we look at the NCRB data, we can see that both Indian Penal Code (IPC) and Special and Local Laws (SLL) crimes have increased. A continuous discussion is held on the trend of crimes against women in India during this period.

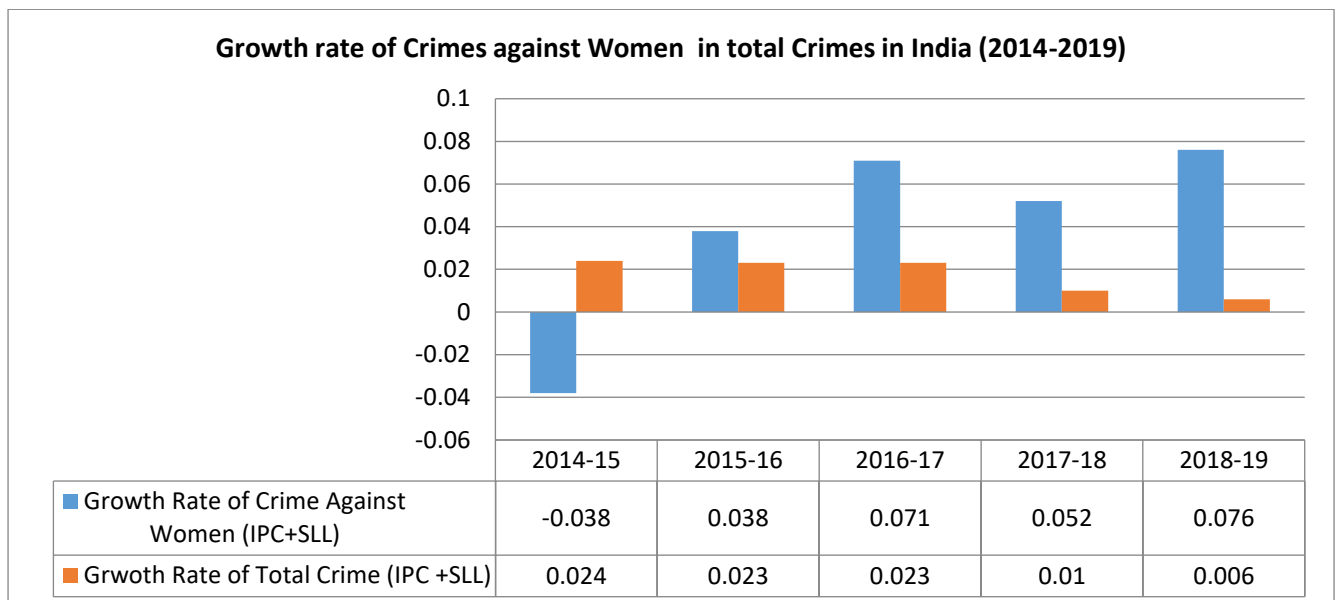
¹² Suresh D. The number of Reported Crimes against Women Increased by Over 30% between 2014 & 2022, on august 27, 2024. [https://factly.in/data-the-number-of-reported-crimes-against-women-increased-by-over-30-between-2014-2022.](https://factly.in/data-the-number-of-reported-crimes-against-women-increased-by-over-30-between-2014-2022/)

Table No. 2: The growth rate of crime against women (IPC+SLL) in India.

Year	Crimes Against Women (IPC+SLL)	Growth Rate	Total Crime (IPC+SLL)	Growth Rate	% of Total Crimes Against Women to Total Crime
2014	323469	-	4393309	-	7.36
2015	311272	-0.038	4497732	0.024	6.92
2016	322949	0.038	4602370	0.023	7.02
2017	345989	0.071	4748250	0.032	7.29
2018	363817	0.052	4796957	0.010	7.58
2019	391601	0.076	4826513	0.006	8.11
Total	2059097	-	27865131	-	7.39

Source: National Crime Records Bureau, 2014-2019¹³

Figure-2 shows the growth rate of crimes against women in total crimes in India.



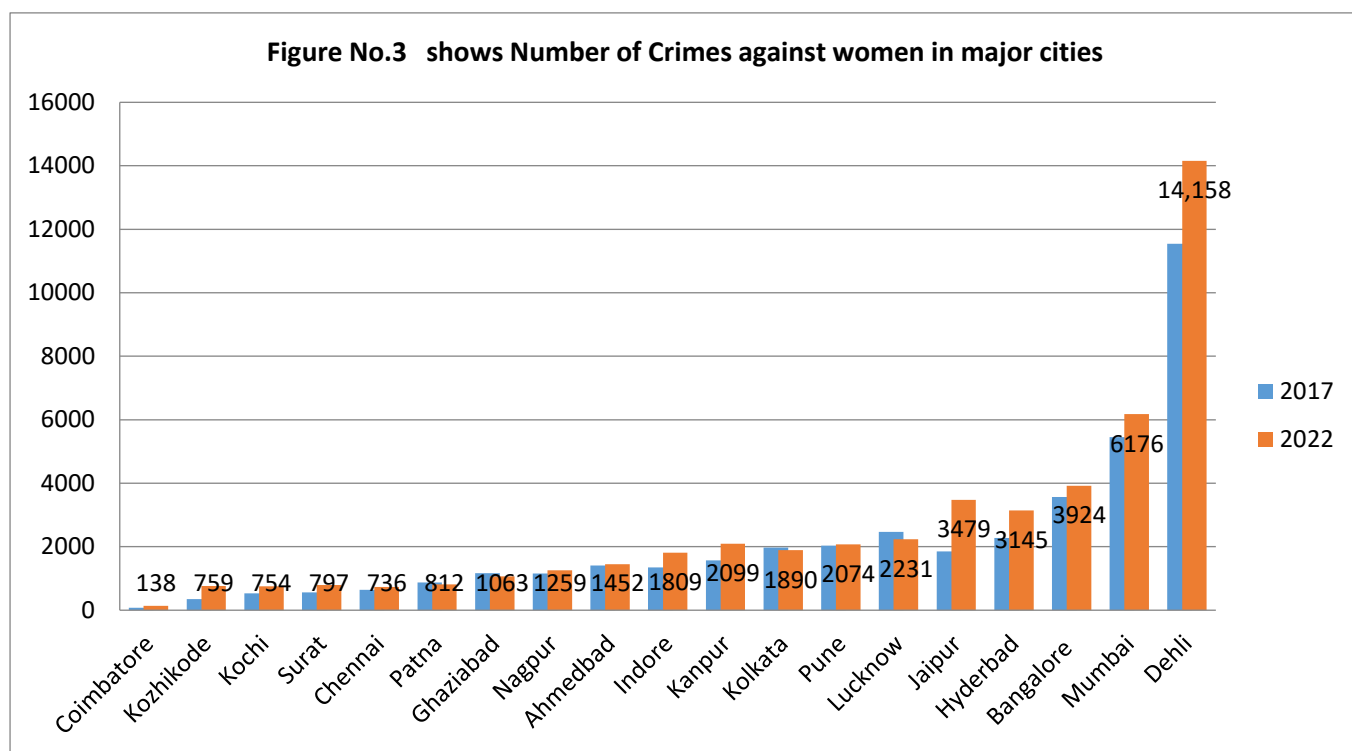
If we look at the data of criminal activities against women during the period 2014–2019, it is our misfortune that all kinds of IPC and SLL crimes are on the rise. In 2015, there was only a

¹³ National Crime Records Bureau (2019). Crimes in India. <https://ncrb.gov.in/sites/default/files/CII%202019%20Volume%201.pdf>.

negative growth rate in crimes against women (-0.036), and since then there has been a steady increase, with a growth rate of 0.076 in 2019. If we compare the crime against women with the total crime, we will see that the total crime rate has been steadily declining, whereas in 2015 the total crime growth rate was 0.024, while in 2019 it decreased to 0.006. The percentage of crimes against women has risen between 2015 and 2019. The growth has been almost 1% per year since 2015, and in 2019, it reached 8.11 percent, which is a significant concern.

(C) Crimes against women in metropolitan areas have increased by 17%

The NCRB also publishes yearly data on crimes against women in 19 metropolitan cities of India. As of this date, the number of crimes against women in these cities increased from 40,839 in 2017 to 48,755 in 2022, showing a 17% increase. It is notable that there was no decrease in crimes against women in any of the metropolitan cities during this period.



Source: NCRB Report 2019¹⁴

However, when compared by crime rates per lakh women population, though the overall crime rate increased slightly from 75.5 to 75.7 in these cities, 8 cities have shown a decrease in crimes, while 10 cities have shown an increase, excluding Delhi. In 2017, the top five cities with the highest crime rates against women per lakh women were Lucknow (178), Indore (152), Jaipur (129), Kanpur (127), and Ghaziabad (117). By 2022, the top five cities were Patna (93),

¹⁴ Prosenjit Murmu, Crime against women in India: A geographical appraisal, International Journal of Science and Research Archive, Vol. 8 No. 1 2023, P, 542.

Kozhikode (92), Coimbatore (91), Ahmedabad (91), and Kochi (90).¹⁵

III. CONSTITUTIONAL AND LEGAL PROVISIONS FOR WOMEN

The principle of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties, and Directive Principles. The India constitution not only grants equality to women but also empowers the State to adopt measures of positive discrimination in favor of women. Within the framework of a democratic polity, our laws, development policies, plans, and programs have aimed at women's advancement in different spheres. India has also ratified various international conventions and human rights instruments committing to secure equal rights for women.

(A) Constitutional Provisions

The Constitution of India not only grants equality to women but also empowers the State to adopt measures of positive discrimination in favour of women for neutralizing the cumulative socio economic, education and political disadvantages faced by them. Fundamental Rights, among others, ensure equality before the law and equal protection of law; prohibits discrimination against any citizen on grounds of religion, race, caste, sex or place of birth, and guarantee equality of opportunity to all citizens in matters relating to employment. Articles 14, 15, 15(3), 16, 39(a), 39(b), 39(c) and 42 of the Constitution are of specific importance in this regard.

a) Constitutional Privileges

- (i) Equality before law for **women (Article 14)**
- (ii) The State not to discriminate against any citizen on grounds only of religion, race, caste, **sex**, place of birth or any of them (**Article 15 (i)**)
- (iii) The State to make any special provision in favour of **women** and children (**Article 15 (3)**)
- (iv) Equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State (**Article 16**)
- (v) The State to direct its policy towards securing for men and **women** equally the right to an adequate means of livelihood (**Article 39(a)**); and equal pay for equal work for both men and **women (Article 39(d))**

¹⁵ *Supra Note 11* <https://factly.in/data-the-number-of-reported-crimes-against-women-increased-by-over-30-between-2014-2022>.

- (vi) To promote justice, on a basis of equal opportunity and to provide free legal aid by suitable legislation or scheme or in any other way to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities
(Article 39 A)
- (vii) The State to make provision for securing just and humane conditions of work and for maternity relief **(Article 42)**
- (viii) The State to promote with special care the educational and economic interests of the weaker sections of the people and to protect them from social injustice and all forms of exploitation **(Article 46)**
- (ix) The State to raise the level of nutrition and the standard of living of its people **(Article 47)**
- (x) To promote harmony and the spirit of common brotherhood amongst all the people of India and to renounce practices derogatory to the dignity of women **(Article 51(A) (e))**
- (xi) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Panchayat to be reserved for women and such seats to be allotted by rotation to different constituencies in a Panchayat **(Article 243 D(3))**
- (xii) Not less than one- third of the total number of offices of Chairpersons in the Panchayats at each level to be reserved for women **(Article 243 D (4))**
- (xiii) Not less than one-third (including the number of seats reserved for **women** belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Municipality to be reserved for women and such seats to be allotted by rotation to different constituencies in a Municipality **(Article 243 T (3))**
- (xiv) Reservation of offices of Chairpersons in Municipalities for the Scheduled Castes, the Scheduled Tribes and **women** in such manner as the legislature of a State may by law provide **(Article 243 T (4))**¹⁶

(B) Legal Provisions

To uphold the constitutional mandate, the state has enacted various legislative measures intended to ensure equal rights, to counter social discrimination and various forms of violence

¹⁶ M. P. Jain *Indian Constitutional Law*, 9th edn., Lexis Nexis, 2024

and atrocities and to provide support services especially to working women. Although women may be victims of any of the crimes such as ‘Murder’, ‘Robbery’, ‘Cheating’ etc., the crimes, which are directed specifically against women, are characterized as ‘Crime against women’. These are broadly classified under two categories,

a) The Crimes Identified Under the Indian Penal Code (IPC)

- (i) Rape (Sec. 376 IPC and BNS Sec.63)
- (ii) Kidnapping & Abduction for different purposes (Sec. 363-373 and BNS (Sec.97-98)
- (iii) Homicide for Dowry, Dowry Deaths or their attempts (Sec. 302/304-B IPC and BNS Sec.80-87)
- (iv) Torture, both mental and physical (Sec. 498-A IPC and BNS 85)
- (v) Molestation (Sec. 354 IPC BNS 74)
- (vi) Sexual Harassment (Sec. 509 IPC and BNS Sec.75)
- (vii) Importation of girls (366-B IPC and BNS 141).¹⁷

b) The Crimes identified under the Special Laws (SLL): Although all laws are not gender specific, the provisions of law affecting women significantly have been reviewed periodically and amendments carried out to keep pace with emerging requirements. Acts which have special provisions to safeguard women and their interests are:

- (i) The Employees State Insurance Act, 1948 ,
- (ii) The Plantation Labour Act, 1951
- (iii) The Family Courts Act, 1954
- (iv) The Special Marriage Act, 1954
- (v) The Hindu Marriage Act, 1955
- (vi) The Hindu Succession Act, 1956 with amendment in 2005
- (vii) Immoral Traffic (Prevention) Act, 1956
- (viii) The Maternity Benefit Act, 1961 (Amended in 1995)
- (ix) Dowry Prohibition Act, 1961

¹⁷ K.D. Gaur Text Book on Indian Penal Code 1860, 8th edn. Universal Lexis Nexis, 2023

- (x) The Medical Termination of Pregnancy Act, 1971
- (xi) The Contract Labour (Regulation and Abolition) Act, 1976
- (xii) The Equal Remuneration Act, 1976
- (xiii) The Prohibition of Child Marriage Act, 2006
- (xiv) The Criminal Law (Amendment) Act, 2018
- (xv) The Factories (Amendment) Act, 1986
- (xvi) Indecent Representation of Women (Prohibition) Act, 1986
- (xvii) Commission of Sati (Prevention) Act, 1987
- (xviii) The Protection of Women from Domestic Violence Act, 2005.¹⁸

(C) Special Initiatives For Women

- (a) National Commission for Women:** In January 1992, the Government set-up this statutory body with a specific mandate to study and monitor all matters relating to the constitutional and legal safeguards provided for women, review the existing legislation to suggest amendments wherever necessary, etc.
- (b) Reservation for Women in Local Self –Government:** The 73rd Constitutional Amendment Acts passed in 1992 by Parliament ensure one-third of the total seats for women in all elected offices in local bodies whether in rural areas or urban areas.
- (c) The National Plan of Action for the Girl Child (1991-2000):** The plan of Action is to ensure survival, protection and development of the girl child with the ultimate objective of building up a better future for the girl child.
- (d) National Policy for the Empowerment of Women, 2001:** The Department of Women & Child Development in the Ministry of Human Resource Development has prepared a “National Policy for the Empowerment of Women” in the year 2001. The goal of this policy is to bring about the advancement, development and empowerment of women.¹⁹

IV. SUGGESTIONS

In brief, the following measures may be suggested for reducing women’s depersonalization

¹⁸ Bare Acts on special provisions to safeguard women in India.

¹⁹ Government of India has taken initiative for protection of women in India, enacted many commission, policies, etc, Janaki Mc & Manikanta T Crime Against Women – A Qualitative Analysis, International Journal of Advanced Research in Management and Social Sciences, Vol. 3 No. 12, December 2014, P.215.

trauma:

- (1) Legal literacy of women by creating awareness of rights among women through media, voluntary agencies,
- (2) Judicial activism, i.e., giving liberal and creative interpretation of law than literal or technical interpretation.
- (3) Constant monitoring of Justice and examining impact of legislation.
- (4) Monitoring rescue homes
- (5) Strengthening free legal aid societies.
- (6) Effective functioning of family courts and family counseling services etc.,
- (7) Educate everyone about the gender-based violence most prevalent in our community.
- (8) Support organizations working to eradicate gender-based violence such as sex trafficking, domestic violence, and prostitution.

V. CONCLUSION

Finally, this article concluded that the crimes against women remain a complex and pressing issue with multifaceted consequences. Governmental agencies, international organizations, and civil society must all get involved in solving this issue. The development policies must emphasize that violence against women is unacceptable, and no woman should suffer such treatment. This article serves as a starting point for understanding the severity of crimes against women, their various forms, and their consequences, with the hope that it will be used to form strategies to combat this pressing issue. They need to change the mindset of the people who are working in different sectors in society. The government must take the initiative for the implementation of existing laws and policies for the welfare of women in India.
