**ABSTRACT**

Sexual Offences are acts of Sexual Intercourse with a second person or an animal to obtain Sexual gratification. Sexual offences and violence apart from being a dehumanizing act is unlawful intrusion on the right of privacy and sanctity of a human. It is a serious blow to his/her supreme honor and offends his/her self esteem and dignity, it degrades and humiliates the victim and where the victim is a helpless innocent child or a minor, it leaves behind a traumatic experience. Generally we think that Rape, Sexual Harassment, Molestation or Outraging the Modesty are the specific Sexual offences but actually Sexual Offences are a Psychological Aspects and it reflect through various physical activities, postures, exposures and interactions, So Sexual offences may be classified into following:

![Sexual Offences Classification Diagram](image)

Some Sexual Offences have legal identification with support of Criminal Administration. But it is necessary to know about the root causes of these Offences so that we can eradicate this curse from our society, in which how can a rapist get sexual pleasure from a little baby girl of 6 months? He is not only a heinous offender rather a psycho patient also. South Korea is the first country who declares the sentence of “Chemical Impotency” for these kinds of patients. We will hope to see it in our own country.

**KEY WORDS:** Insects, Perversions, Harassment, Psycho-sickness.

**INTRODUCTION**

Relationship is the bone marrow of society and humanity is based on bonding among the Human Beings. Relations have so many faces of Fazes between two human Beings like-mental, Emotional, Professional, and Friendly, Formal, Heartious, Physical or sexual. Two person have all kinds of relationships stated above except sexual relation, until the second person don’t want to be involved her/him self voluntarily. If two people intimate together sexually, generally it may presumed that they have all kind of relations of attachment like mental, psychological, emotional or heartily. In ancient time these sexual relations were strictly governed by society in the safeguard of marriage or through the profession of prostitution but now a day sex and the sexual relation are trespassing beyond the boundaries of social & Ethical values. Peoples are making sexual relation, before marriage, in extra marital affairs, between the persons of the same sex, forcibly and heinously against the will of the second person. The most terrific face of it is that most of forcible sexual relation which is actually sexual offences is committed with the innocent children. In present scenario sexual offences are increasing in the large no, which is alarming status for social structure.

**MEANING**

Sexual Offences are acts of Sexual Intercourse with a second person or an animal to obtain Sexual gratification. Sexual offences and violence apart from being a dehumanizing act is unlawful intrusion on the right of privacy and sanctity of a woman. It is a serious blow to her supreme honor and offends her self esteem and dignity, it degrades
and humiliates the victim and where the victim is a helpless innocent child or a minor, it leaves behind a traumatic experience.

**CLASSIFICATION OF SEXUAL OFFENCES**

Sexual offences may be classified into:

(A) Natural Offences

- Rape
- Incest

(B) Unnatural Offences

- Sodomy
- Tribadism
- Bestiality
- Buccal Coitus

(C) Sexual Perversions

1) Sadism: - enjoyment from watching or inflicting physical or mental, suffering or sexual pleasure obtains from this status.
2) Masochism: - The practice of getting sexual pleasure from physically hurting one.
3) Necrophilia:-(Thanatophilia) is the sexual attraction to corpses and maintain Sexual Relation between (Sex with Corpses) dead human body IPC – Sec 267
4) Fetishism: - An object / magazine or activity that necessary for or adds to an individual’s sexual pleasure.
5) Voyeurism: - A person who gets pleasure from secretly watches the sexual activities of others.
6) Masturbation: - To give oneself sexual pleasure by stimulating the sexual organs especially by hand.
7) Transvestitism: - A Person who dresses in the cloths of the opposite sex especially for sexual pleasure.
8) Exhibitionism: - The Mental condition that makes someone wants to expose their sex organ in public.
9) Frotterism: -is a paraphilic and sexual interest in rubbing (usually sex organs) against a non consenting person, children, or person in crowd.
10) Undinism: -Sexual pleasures gained from acts involving urine, such a watching people urinate or urinated on and by the smell of urine.
11) Tribadism: -The term is usually used in the context of lesbian sex.(Sex between two females).
12) Buccal Coitus: -The male organ is introduced into mouth, usually of a young girl.
13) Incest: -Sexual relation between people who are very closely related, like brother and sister, father and daughter.
14) Satyriasis: -Incessant sexual desire.
15) Priapism: - Painful penile erection in absence of sexual desire.
16) Bondage: -The combining of sadism and masochism.
17) Pyromania: - Sexual simulation while seeing flames or destruction of building.
18) Sodomy/Buggery: -is anal intercourse between two male, male and female.
19) Paraphilia: -abnormal and UN orthodox sex play by using unusual objects or parts of the body.
20) Bestiality: -is sexual intercourse by a human being with a lower animal.

**Sexual Offences Covered in Indian Penal Code-1860**

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<tr>
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F  Procuration (of Minor Girls for illicit Intercourse or Prostitution)  Sec- 366-A  IPC
G  Importation (of Minor Girls for illicit Intercourse or Prostitution)  Sec- 366-B  IPC
H  Selling (of Minor Girls for illicit Intercourse or Prostitution)  Sec- 372  IPC
I  Buying (of Minor Girls for illicit Intercourse or Prostitution)  Sec- 373  IPC
J  Voyeurism (Capturing picture or image)  Sec- 354-C  IPC
K  Stalking (Follow by any electronic Digital Means)  Sec- 354-D  IPC
L  Sexual Harassment at the workplaces  Sec- 354-A  IPC

Other Legislative Attempts to Prohibit Sexual Offences in India
• The Indecent Representation of Women (Prohibition) Act, 1986
• The Immoral Traffic (Prevention) Act, 1956
• The National Commission for Women Rights Act, 1990
• The Protection of Human Rights Act, 1993
• The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989
• The Young Persons (Harmful Publications) Act, 1956
• Domestic Violence Act, 2005
• Protection of Children from Sexual Offences Act, 2012
• Section 13(2)-2 of Hindu Marriage Act, 1955

Reality Sexual Offences in India against of Women
(Comparison of selected countries’ reported rape rates, 2012)

Rape in India is one of India’s most common crimes against women. Marital rape that occurs when spouses are living together can only be dealt under the Protection of Women from Domestic Violence Act, 2005 which only provides civil remedies to victims (it is a form of non-criminal domestic violence). Marital rape is not a criminal offense, except when spouses are separated. Rape cases in India have doubled between 1990 and 2008. Penile and non-penile penetration in bodily orifices of a woman by a man, without the consent of the woman, constitutes the offense of rape under the Criminal Law (Amendment) Act, 2013.

Adjusted for population growth over time, the annual rape rate in India has increased from 1.9 to 2.0 per 100,000 people over 2008-2012 periods, which is quite low. This compares to a reported rape rate of 1.2 per 100,000 in Japan, 3.6 per 100,000 in Morocco, 4.6 rapes per 100,000 in Bahrain, 12.3 per 100,000 in Mexico, 24.1 per 100,000 in United Kingdom, 28.6 per 100,000 in United States, 66.5 per 100,000 in Sweden, and world’s highest rate of 114.9 rapes per 100,000 in South Africa.
Sexual violence within marriage is common, with 20% of men admitting to forcing their wives or partners to have sex, in a survey by the Centre of Research on Women, US, and Instituto Promundon in Brazil. According to the National Crime Records Bureau, 24,206 rape cases were registered in India in 2011. A new case is reported every 20 minutes, although the latest estimates suggest a new case every 22 minutes. In 2012, the conviction rate for rape was 24.2%.

Some facts about the Sexual Offences:
- According to the National Crime Record Bureau and National Human Right Commission for Women in India:
  - Every 26 minutes a woman is molested.
  - Every 54 minutes a Rape takes place.
  - Every 4 minutes a Woman is burnt to death over Dowry.
  - Every 7 minutes a criminal offence against women takes place.
  - Caste and community based torture are still continue. (Especially Dalit Women of interior villages of India)
  - Sexual harassment at workplace and even at home is on rise.
  - Cases of Child Abuse and child Rape are going and growing on.
  - Women Atrocities through Khaap Panchayat are going common News.

Sexual Offences against Minor Girls and Children
In India, as in another country is common owing to the superstitious belief that gonorrhea and syphilis can be cured by Sexual intercourse with a virgin. To these, may be added the cause of retaliation on the part of parents, on account of previous enmity as motive for Rape on Children.

In joint families and presence of many adult in the house, the opportunities for an adult to rape a child are less, but the most severe trauma is in the case where the adult abuser is a close relative, even a parent. To be raped by someone whom the girl trusts not to abuse her and thinks him as a natural protector, is the most traumatic event for the girl child. The Pornographic films, in which the children are portrayed as sex objects, can possibly influence the viewers. Child Rape and Child Abuse are cases of perverse lust for sex where even innocent Children are not spared in pursuit of the sexual Pleasure. The crime rate of child Abuse and Child Rape is quite high in India, because they are most easy and approachable targets for offenders. They are too innocent that they have no idea of what is happening, and also incapable of resisting. In so many cases victims are Deaf and Dumb, Blind, Mentally Retarded persons, Minor girls and Abandoned Children. They are using as “Sex Toys”.

Causes of Sex Delinquency (in a brief)
- Intensity of Sex Desire.
- Change in social structure and concept of Nuclear family.
- Losing hold on Traditional norms and culture.
- Deterioration in the status of women due to wearing modest apparels.
- Poverty
- Industrial Development and urbanization.
- Increasing Population.
- Obscenity in Literature, Films, Media and Social Network.
- Increasing Pornography through Internet.
- Influence of Intoxicants, Drugs and other Chemicals.
- Superstitious Belief about Virginity and Sex Power.
- Desirability of Marriage or Disturbance in marital Life
- Lack of Sex Education
- Existence of pathological Personality.
- Depressed or altruistic powerlessness of most of women.
- Hostility towards woman.
- Situational Urge.

Causes
1. The scientific research says that every human being has a different biological structure in which he/she has a different level of sexual desire. Some of them have normal, medium and higher intensity of sex desire. But if someone has the higher sex intensity with aggression it may provoke him internally for sexual offences.
2. In ancient period when joint families where in large no in our society, the female were more protected then Nuclear families of modern society, in which parents are mostly working & there kids are live alone at home or unsafe in the custody of unknown and unreliable persons like made/servants/driver/strangers.

3. The ethical values are the unseen’s barriers to protect social structure from the ancient time period, but now days the education of moral & Ethical values are missing from or educational system.

4. We have the Indian Culture which is the most prosperous, versatile, colorful and graceful in the world but we are also liberal about grasping & adopting other cultures and tradition, but we are inviting some problems in the face and name of modernizations. Girls and Women are wearing western clothes but so many times it seems vulgar & obscene and provoking.

5. Poverty is a curse on this earth; Human being can be an Evil Just for hunger. Bihar, M.P., Assam. Orissa, W.B., and many other States of India parents themselves sell their own children for money or leave them abandoned to be the victim of sexual offences.

6. Today Globalization and Urbanization increased industrial setup, in that man and women are getting equal opportunity to do work. In this situation most of working women are going outside of home, day to night. Their personal, family and social life is entirely changed. Now single & alone woman where she is the one and only earning source, to be affected by undue impression or to be molested.

7. Crowdy, Noisy & Messed up Civilization of the world is the result of increasing population, in which every person in unknown to other. Thus it is a very suitable situation for the development of unsocial elements and sexual offenders.

8. Market is also providing all kinds of encouraging elements for sexual perversions and obscenity through cheap literatures, vulgar films, Nonveg Jokes & pictures circulated from social media & Networking.

9. There are so many porn sights in the world in crores & most of their users have sexual perversions and it is the most provoking reason for sexual offences.

10. Alcohol is a mind shacking and deviating drink and all intoxicants, drugs, chemicals make powerful influence towards sexual desires and in alcoholic addiction a man forgets that what he is doing, whether it is right or wrong.

11. Most of man who are physically not fit for getting sexual pleasure or incompetent to make sexual relationship with of the woman of same age and category thus they have a superstitious belief that if they will have sex with virgin girl/girl child they will be sexually fit and powerful, that’s why so many old man or sick persons (mentally) do sexually offences.

12. "Now" a happy married life” is a real blessing for the young generation where commitment and cooperation are compared with camp ability. So many married persons who are not getting sexual satisfaction in matrimonial relationship /at home try to get it out side of the matrimonial tie/ home. Some of them go to prostitutes and rest of them does sexual offences that have aggressive sexual desires.

13. In India ‘Sex’ is a word which is very common in every man & woman but speaks out about the ‘sex’ it is really & ‘Taboo’. We can do it but we cannot talk about it, that’s why curiosity makes some anxiety to do something new, in that case most of sexual offences happen due to lake of sex education, if girls will be aware about the sexual offence then they can batter deepened themselves and young generation will not be dire led sexual misconception.

14. Women & Girls are physically weak it’s just a psychological phenomenon and nothing else, but in sexual offences 98% of victims, surrenders in nervousness, fear, depression and due to this orthodox mind setup, that women do not restore their power to protect themselves.

15. So many time offenders have not plan for the offence, but the circumstances make the surroundings very much suitable for the offence & offender have the better and safe exit for himself without leaving any clue of identification. He take the risk of offence in a safe zone, like a alone girl is walking at a new place in the odd hours, or waiting for someone in isolation, If she is intoxicated status, she took lift from an unknown person in late evening/night, If she is alone at home and there is no one to help her, immediately, if the victim is not mentally or physically fit or handicap, Small girl, if victim has trust on offender and go alone with him. If the offender has the status to make undue influences or misrepresentation in front of her, or if he has control of situation by the threatening in these cases victim will be helpless & easier target to be sexually harassed.
• Lake of sound evidence due to delay in Investigation.
• Hesitation for Medical Examination.
• Losing the confidence in Judicial Trial or Cross examination.
• Dissatisfaction from punishment to Offenders.
• No Rehabilitation or Medical Compensation for victim.
• Misuse of law by some selfish Persons and influenced women.

Remedial Measures for Prevention of Sex Delinquency
• Scientific work should be under taken to find out the root causes of sexual of offences.
• Treatment with Psychotherapy and Research to control Intensity of Sex Desire.
• Women should be aware about their own security, Protection, Legal remedies and the Procedure so that they can help themselves and other needy persons also.
• Parents should be aware and protect their children.
• Sex Education at School /College/University level.
• Women Empowerment through self defense and awareness about security.
• Social Movement to change Orthodox mindset of society.
• Rescue homes and Rescue team for security of Abandoned and missing children, with physically and mentally challenged girls or kids.
• Strict Procedure for censorship of Films, Media, Literature, and T.V. Programs.
• Active vigilance of Police to maintain safe social environment and to make Friendly and Cooperative relationship with public.

Sexual Offence: Physical or Psychological urge:
Some other phenomenon related to sexual perversions are also may connected with sexual offences, in that first is the strongest that the 'man' Human being is only species who do sex for the pleasure, 2nd the DNA & Genetics of man are strongest among all species that’s why it pressurized a man to transmit them, through sperms in countless counting 3rd only A man and woman has the sense sexual perversions, that’s why they do it for pleasure.

But if we take a glance on sexual perversions, we will feel that sexual pleasure are also classified in many categories in that someone can get sexual pleasure through watching sex, touching & exposing sex organs, sex between two persons of the same sex these are not a sexual intercourse. But persons are enjoying it but these perversions which are aggressive the basic reason to make somebody passionate, obsession and brutal about several pleasure, then he want to get this pleasure from any person any women, girl child or animal through any process, willingly or by force, by sophistication or by brutality.

So many time rape victims are innocent include small girl, child, how can it possible a man can get sexual pleasure from a little girl, who even doesn’t know what is going to happen with her. In that case the sexual offences completely psychic example of offender and in that case the victim will struggle for survival. But when group of some persons male the target of an alone girl who is helpless it may be considered as a heinous offence if they torture her extreme level against it will seems like a psychological abnormality. So many times some offenders do very brutal misbehavior with victim which is not the part of sexual intercourse or sexual pleasure but they do it only for satisfaction of sadistic nature. They inserted various particles or hazardous things in their body or beat them with cruelty and send their life into danger.

Lord Maicalley adds Sec.377.in 1860- it shows that all kinds of unnatural sex were existed there with prohibition. Now a day girls are the main victim at mass leve l of sexual offences but boys or young boys are also targeted for these kinds of psycho sexual offender most of activities by which these offenders get pleasure actually connected and considered as sexual perversion like masturbation, masochism, frotterism, buccal coitus, Incest, sodomy etc. Sodomy is a punishable offence in law under-sec 377. But all other psycho -sexual perversions are still awaiting for authorization as an offence. Now “Pocso” is a ray of hope for the control on these perversions, we will pray for the strict implementation of this Act.

So we can see most of sexual offences are basically originated and connected by the psychological disorder or abnormality that's why this problem may eradicate not only by punishments but also psycho therapies. Some of persons have very aggressive Sexual desires like an extreme level of anger and it may convert in sexual perversions in case of encouragement, of circumstances and when the person has no fear or the sexual perversion control his mind or power of take decisions of what's right or wrong he does these kinds of sexual offences which may be exceed in cases of increasing ratio of success.

We can add an example of the “Theory of Relativity” of Einsetine to understand the Sex and Psychology. If two persons have an affection and emotional attachment they will relish that Sexual relationship but if anybody who
has no connectivity neither emotional nor mentally will feel highly panic. A touch of love can give us a lot of happiness but an unwanted touch of an unknown or unwanted person will give us a mental trauma definitely. Thus I think sexual offences are not only related to human body, a sexual offence can demolish entire personality of victim. She /He may break down completely and his/ her physical wounds can be recover by medical treatment but his/her mental, emotional, psychologist social and familiar scenario get a blastic change which may be more pain full and time taking to get rid of all these dark stigma of her character /image. So we should think again about the remedial procedure with suggested requirements.

Sex Offences and the Supreme court of India
The Supreme court of India has been behaved very sensitively on the issue of Sexual offences in India, because it is the crime which not only affects the victim but the whole society.

In the P.I.L. of Chairman Railway V/S Chandrima Daas 2000 PIL. SC., Where a Bangladeshi lady was staying in railway waiting room and Gang Rape was attempted by Railway employees, Supreme Court declares “Vicarious-Liability” of Railway and Central Government for the heinous act.

On other hand in an important P.I.L. Gudaloor Charian V/S Union of India 1995 PIL SC. Was filed to attract the attention of Supreme Court about recklessness of Police in Investigation of Sexual Offences.

In this channel Supreme Court provided most important guidelines regarding Police Investigation and Judicial Trial in Sexual Offences in the P.I.L. of Delhi Domestic Working Women’s Forum V/S Union of India 1995 Sc., these are following:-

1. Legal services should be providing by the competent authority of Police to the Victim, during Inquiry to Trial.
2. It is the duty of Police to Inform the Victim that she has the fundamental right of legal Aid.
3. Appropriate Medical Treatment should provide to the victim as soon as possible by the competent authority.
4. The Identification of victim should not disclose and be completely confidential from the beginning to compilation.
5. If offence proved against accuse, the Court will provide appropriate compensation for the violation of the rights of the victim.
6. All the states should constitute an “Aapradhik Aaghaat Raahat Board” for calculation of compensation, so that victim can get the compensation in that case where accuse legally innocent.

Some other procedural improvements can be effective to control Sex Delinquency:-

- There should be strict and effective implementation of guidelines given by International Conventions and Hon’ble Supreme Court in leading Judgments.
- Social awareness about filing FIR within appropriate time.
- Psychological support to victim for complaining the Offence.
- Investigation should be focus on circumstantial evidence.
- Strict implementation of all legal Provisions and Acts.
- There should be staunch prohibition on Child Labor because most of child Abuse and child Rape victims are in these labor groups.
- We should adopt and enact some effective and Successful legislative Laws from other countries like South Korea is the first country who applied “chemical Impotency” as a punishment for the habitual sexual offenders.

Age should not be considering of any Juvenile Offender in case of Heinous and brutal Rape cases.

Sexual Harassment and violation of Fundamental Rights
Each such incident results in violation of the Fundamental Right of “Gender Equality” and the “Right to Life and Liberty”. It is a clear violation of the rights under Article 14, 15 and 21 of the Indian Constitution. One of the logical consequences of such an incident is also the violation of the victim’s fundamental right under Article 13(1) (g) “to practice any profession or to carry out any occupation, trade or business”. Such violations, therefore, attract the remedy under article 32 of the constitution for the enforcement of these fundamental rights of woman.

Dignity of a Woman and International upliftments
For centuries in the past women have been assigned a low and undignified status in comparison with that of man. She has been a victim of oppression and atrocities not only in India but all over the world. Considered as the weaker sex, undue advantages have been taken of their helplessness. The 5th International conference of American States Held in Santiago in1923 voiced the concern over the “legal inequality of women” the 7th conference in
Montevideo in 1933 approved the convention on the nationality of women ratified by with establishment of the ‘National Commission for Woman Gender Issues’ are receiving proper attention. Though Indian Women have held high positions in society, Politics and Administrations and in spite of the plethora of enabling legislation on the ground very few women enjoy the benefits given to them under the Law. This mainly due to Poverty, illiteracy, feudal outlook, Social Mores and Lack of Public awareness. A disturbing factor of modern era is the increase in crime against women in India, Which needs special mention and discussion. In 1967 the United Nations general assembly adopted the declaration on elimination of discrimination of women. It was reiterated in1979 in the form of “convention on elimination of all forms of discrimination against women”.

**Conclusion**

Women and Children have been counted as a "Weaker Sex" from centuries .They have been used, Abused, Exploited, and Harassed and treated like an entertainment tool. But now when we are living in a sophisticated, Developing, Educated and more awaking society then we all –Public, Society, Government, Police, Doctors, Lawyers and judiciary have to be united for eradication of the curse of Sexual Offences for freedom of Women Empowerment, for Saving Childhood of many Children and for healthy Up grooming the future of present. We all have to think again and try again and again to stop treating Children as “SEX-TOYS”.

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