

## Female Criminality: A Bitter Reality

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*Abstract: This article deals with female criminality in India, the journey of female from home to the world of crimes. The data given by National Crimes Records Bureau clearly shows that the participation of females is less in crimes as compared to men but increase in crime rate by females is seen in the recent years. The paper also deals with the various factors which are responsible for female criminality and the various ways which can be done to stop females from doing crimes.*

### I. INTRODUCTION

While scrutinizing women's crime we find women offender divergent from normal people in context of crimes they are getting involved in.

Earlier in the history of mankind women was the backbone of family and society at large. Especially in India, a woman was preserver of social, morals, traditions, customs, morality and family. These days women for making their own identity run behind different sectors of work and also nurturing of their families. Females are known as universal and versatile for the different works they do. Today women empowerment has developed to that level where unfortunately women are also participating in crimes that occurs in our society like Murder, Theft, Kidnapping, Prostitution, Robbery etc. With increasing ratio of crimes against women now there is also rise of female criminality that is occurring in our country. Females are also expanding their share in crime as available by the data in India.

Now social environment is responsible in making of female criminals. It also started ever since women lost their faith in social system. India is a male dominating country where women and men are not in same level. It is very common in India, the discrimination that women often face which exists from birth to last breath. When law failed to give justice to women, eventually women out of anger, frustration started taking law in their own hands. As happened in Phoolan Devi case also that law failed to give her justice. Later on she turned into a bandit queen who later became politician and finally got murdered.

Female criminality can be studied and understood even more closely by going through the available data from the NATIONAL CRIME BUREAU. It is observed by the data that with increase in crime rate crime committed by females is also increasing. When we deeply study female criminality it is easily observed that women are indulged in much harder and sophisticated crimes that are currently in rise. There is a big need for us to understand and go through the depth of female criminality in India. This article talks about reasons, precautions and conclusions of female criminality.

### II. FEMALE CRIMINALITY IN INDIA

As earlier said that society and social environment contribute a lot in making of women criminals. In India females have also been the weaker section of the society and they always fight for their rights, besides this they still don't get justice because of this failure in getting justice they out of anger, frustration and disappointment commit crimes. In Bajpai and Bajpai (2000) mentions a very catchy statement which is "Rights are first demanded, then commanded and later snatched". This battle of seeking justice and rights it takes turn to incidents of crimes.

Mainly in India Section 497 of Indian penal code which exempts married woman from punishment also involves the issue relating to female criminality, gender in equality or gender discrimination. Adultery may be an instance of female criminality although woman is not punished for it. SC in Sowmithri Vishnu vs. Union of India AIR 1985 SC 1618 has also emphasized that woman is always the victim and not the

author of crime. This observation may not gain unanimous acceptance. The subject of adultery begins at forefront the issue of Female criminality because this fact cannot be ignored that in offence of adultery the woman is always a consenting party. There is fewer occurrences of women criminality as compared to men.

There are certain crimes which are generally committed by women. In commission of many offences they actively help and participate right from preparation to commission of offence. Women participating in murder, kidnapping, abduction, narcotics drugs, alcohol related offences and terrorism may be cited.

SL.NO.	CRIME HEAD	MALE	FEMALE	TOTAL	PERCENTAGE TO TOTAL	
					-----MALE	FEMALE
1	MURDER	66150	4443	70593	93.7%	6.3%
2	ATTEMPT TO COMMIT MURDER	72895	3179	76074	95.8%	4.2%
3	RAPE	28112	766	28878	97.3%	2.7%
4	KIDNAPPING AND ABDUCTION	54956	2527	57483	95.6%	4.4%
5	ROBBERY	35252	294	35546	99.2%	0.8%
6	SEXUAL HARRASMENT	9687	193	9880	98.0%	2.0%
7	DOWERY DEATHS	29814	4764	24578	80.6%	19.4%
8	CRUELTY BY HUSBANDS AND RELATIVES	139403	41298	180701	77.1%	22.9%
9	IMPORTATION OF GIRLS	203	18	221	51.9%	8.1%
10	HURT	479835	36063	515898	93.0%	7.05%

Table 1: Statistics Of Year 2011

Here are some cases which can be cited for understanding how females commit or participate in crime. In *Susheel Kumar Sharma Versus Smt.Usha AIR 1987 Delhi 86* it was held by the court that aborting of foetus in the very first pregnancy by a deliberate act without the consent of husband would amount to cruelty and instance of female criminality. In *Nemai Kumar Ghosh Versus Smt. Mita Ghosh AIR 1986 Cal 150* where the wife, since after her marriage with a husband became suspicious about his character and use to doubt that the husband was in illicit connection with his own sister in law. This cause a great mental pain to the husband in a sense mental cruelty by wife against husband. In *Darshana Devi Versus Anil Kumar Saini II (2007) DMC 191 Delhi*, in this case also the husband and his family members were arrested twice kept in police lock up and made to undergo jail term for offences of which they were ultimately acquitted is also an instance of cruelty by wife and kind of female cruelty.

The most confusing murder in India's history is the *Sheena Bora Murder Case* which is nothing short then bollywood thriller. *Indrani Mukerjee* is the name which is being known by the each Indian today. *Indrani* first got married to *Siddhartha Dass*. Out of this wed lock she gave birth to a child *Mikhail Bora* but this marriage could not last long and she divorced him and got married to *Sanjeev Khanna*. *Indrani* and *Sanjeev* gave birth to *Vidhi Khanna* and then again divorce took place between them after few years. Thereafter, she again got married to *Peter Mukerjee*. Prior to all these marriages when *Indrani* was teenager she was allegedly impregnated by a close family member and gave birth to a child named *Sheena*. When *Indrani* married to *Peter* at *Bombay* *Sheena Bora* and *Vidhi Khanna* also started living with *Indrani* and *Peter* had also son namely *Rahul Mukerjee*

from his ex-wife *Shabnam*. *Shina* and *Rahul* get into a relationship which was disapproved by *Indrani* and *Peter*. *Sheena* refused to part with substantial amount of money which was kept in his offshore account by *Indrani*. This led to murder of *Sheena* by *Siddhartha* and *Indrani*.

Another famous example about a victim turned victimizer is of *Phoolan Devi*. Her story as victimizer starts with law failing to give her justice. *Phoolan Devi* denied of justice had turned into a notorious bandit queen who later became politician and in her short struggle full life she had gained a lot of enemies and finally she was also herself murdered.

About the gender inequality, the Law Commission of India in its 42<sup>nd</sup> report has observed:

That from the factual and practical point of view, the position today is not appreciably different from that described *Macaulay* more than 130 years ago. We however, think that the reasons which weight with the law commissioners in the last century in exempting the wife from punishment are by and large no longer valid, and there is hardly any justification for not treating the guilty pair alike.

### III. CAUSES OF FEMALE CRIMINALITY

There are many cause of female criminality which are as follows:

#### A. PSYCHOLOGICAL

There are many hurdles that occur in daily bases. Female on the other hand face a lot of hardship and problems. Life is not bed of roses, at times female convicts display emotional instability and frustrations because of hard conditions, failure in love and a lot of other problems which they face in their daily life makes difficult for females. As compare to men, females have more stress and depression. Woman because of social status have to face stress and because of that they always hide their anger. The fear of losing them either stops them to show their anger or else swallow their angers. As they hide their anger and frustrations it eventually takes turn to guilt. Guilt is negative emotion which significant among female criminals. Guilt implies inner feelings of wrong doings or self blames. Crime may also be committed as revolt against injustice which women offender generally faces. To come out of this guilt they liable other person for the act and the presence of negative emotion make them unsocial and neurotics. They became uncontrolled and violent. Thus sociological view point is applicable in India as there are several crimes committed because of depression, frustration and anger.

#### B. SOCIOLOGICAL

Female criminals are emotionally unstable which is often the main force behind the commission of the crime. The basic root or this instability is lack of affection in the child hood, absence of parental supervision, non satisfaction of drives etc. Woman in India in spite of being aware and developed has to go through in equality, so because of this woman has to let go the opportunities they could get in life. In India females are

those from whom everybody expects to adjust and understand, mainly to compromise with the world that revolves around her. In many ways the crimes that the woman commits are considered to be the outcome of the inner imbalance. Because of fewer handcuffs on female is also true to increase female crimes. Nevertheless in Indian state of affairs more restrictions are resulting in bigger crimes.

SHARMA (1963) concluded in his study that in India between Indian woman, edgy inter personal relation with husband and other members of husband family, husband extra family relations, privation and denial for the basic needs are the reason for this deviant behavior.

Writer like BILMORIA has also supported Sharma's theory of family maladjustment and role of conflicts in family as reasons for female criminality.

The main cause was the illicit relationship of culprit with another man, illicit relation of victim with some woman, and dispute with husband or maltreatment by husband.

It is noted that not only in cases of murder but also in different crimes family plays a vital role.

### C. BIOLOGICAL

In India biological aspect as to female criminality does not have big impact as compare to psychological and social. But there are some biological factors also which are responsible for crimes by females. There are hormonal changes which occur in females such as menstruation, menopausal stage and in pregnancy which results to emotional imbalance, mood swings, abnormal craving and impulses. Although this theory is not applicable in India.

### IV. RECOMMODATIONS

- ✓ Prevention is better than cure meaning there by in case of female criminality we should strengthen and pay more attention to cultural knowledge and legal education. As some of the women are not educated they get very easily impulsive and sometimes go to extremes specially in rural areas there is very big need of education. Only with education they can differentiate between legal and illegal.
- ✓ Family prevention refers to restrain and less crime through the process of family education function. To battle domestic violence, psychological counseling the guardian shall do the duties well in terms of guiding their children. Family is the first guiding institution so it is utmost duty of the guardian to specially take care of girls during their rebellious period. Crime prevention is the toughest task and also important to stop.
- ✓ Sex education is one of the major issues which we lack to provide in India. As India is land of Kamasutra but the irony is sex is taboo here and when we taboo something it becomes untalkable. Women because of lack of knowledge and awareness regarding sex indulges in crimes like abortion, sex rackets, trafficking etc.
- ✓ There is very big need to impart people about harsh laws that are there against these crimes so that they will ten times before even thinking about it. To avoid future crime that can take place it is very important to look at dowry

cases, domestic violence cases etc very sincerely and laws regarding them must be implemented properly

- ✓ Those females who have been behind the bars for committing crimes in partnership with other mates should dispose serendipity or chance to define or correct or rectify there method so that when they will end their punishment and come out of prison they should know the fault they did and also be aware of what to do and what not to so that they can become person of no criminal mind.
- ✓ Women should be given full support, help, care to become a self made, independent and who is capable enough to do something big for herself and also for her family.
- ✓ A prison is a reformatory body which is not just only for spending and completing the punishment but also to guide the offender about the mistakes so that they will not repeat it in future.
- ✓ It also put a duty on society as when a woman prisoner comes back to society from prison people in the society shall accept them with good vibes and positive thinking irrespective of isolating them or taunting them for the old deeds they have committed. Because by doing that it can put them again in same criminal zone where they were earlier. People need to be aware of the fact that a reformed criminal has also right to enjoy, come back positively and continue their life like before.
- ✓ The main and important thing is to provide female prisoners the proper medical aid and also rehabilitation. If any female offender is a patient or suffering mental condition and is out of prison after completing her punishment she might continue the crime again because of those mental conditions that still endure in her. Ingress is to legal advice because there are so many females who are behind the bars for no mistake of their own.

### V. CONCLUSION

Female crime should arouse our attention in today's society. We should use different ideas and shall form effective measures. By this way we can reduce and stop crime and can promote healthy environment. The court should also look up to the reasons as to why the crimes are committed by females and should also give guidelines and legislations regarding them.

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