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SEXTORTION: ADDRESSING THE IMPACT AND LAW IN INDIA

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ABSTRACT

In today's digital age, human lives have become increasingly intertwined with the vast possibilities offered by the internet. People highly rely on it for communication, information, entertainment, and much more. However, with the benefits of this interconnected world, there come the drawbacks also. One such threat that has emerged with the rise of digital communication is sextortion. It is a distressing form of cybercrime that involves the coercion, manipulation, and exploitation of individuals through the threat of releasing explicit or intimate material. This research article aims at throwing light on the emerging crime of sextortion and the profound impact it has on victims' lives and rights. Analysis of the recent case studies in India have revealed the fatal consequences of sextortion. The Apex judiciary in India in 2024 have termed sextortion as a social menace which violates privacy. There is no specific legal provision relating to sextortion under the criminal law in India. The transnational nature of these crimes, anonymity of perpetrators, and jurisdictional complexities make it a multifaceted problem that requires robust domestic laws, international cooperation and updated digital capabilities. Thus, the crucial question at this juncture is how does the law in India combat sextortion. Hence, in this context, by examining recent case studies and legal precedent, this research article explores the extent to which laws in India are addressing sextortion and emphasizes the need for intensified strategies in combating sextortion for safeguarding the human right to dignity.

Keywords: *Sextortion, Privacy, Criminal, Honeytraps, Digital Crimes*

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1. INTRODUCTION

"Sextortion represent a profound violation of privacy and is a significant social menace."

- Justice Amit Mahajan[1]

In today's digital age, human lives have become increasingly intertwined with the vast possibilities offered by the internet. People highly rely on it for communication, information, entertainment, and much more. However, with the benefits of this interconnected world, there come the drawbacks also. One such threat that has emerged with the rise of digital communication is sextortion which is a distressing form of cybercrime that involves the coercion, manipulation, and exploitation of individuals through the threat of releasing explicit or intimate material.

Sextortion is a form of extortion where an individual is coerced into providing sexual favours, explicit images or money under the threat of having private and sensitive information, such as nude photos or explicit videos, released publicly or send to friends, family or colleagues. This form of exploitation takes place online, through social media, emails or other digital communication platforms. The offender aims to extort money or other valuable possessions from the victim, and if their demands are not met, they threaten to publicly release the victim's private content on the internet. These extortionists often persistently seek multiple payments from their vulnerable victims. Typically, they operate within the dark web, deceiving young men by assuming fraudulent identities and exploiting their circumstances for personal gain. Their tactics may involve creating fake profiles on social media platforms, posing as young women to engage with the target and sending sexually explicit materials. Overtime, these fraudsters build trust and manipulate their victims into sharing private photos or videos during real-time chats or video calls. People frequently become ensnared by the allure of these fraudsters and fall victim to their honeytrap, wherein the fraudsters exploit the shared private data to extort money from them. Additionally, some victims receive unexpected video calls from unknown numbers, which, upon answering, play explicit material. These video calls are recorded by the extorter and subsequently used to blackmail the person by threatening to frame them for involvement in pornography or indecent activities. Extortionists further intimidate victims by threatening to expose the videos to their families and publish them online. They may also employ artificial intelligence techniques like deepfake to manipulate and create morphed images of

1 Soukin v. The NCT State New Delhi, Bail Appln. 177/2024, High Court of Delhi.

the victims, which are then exploited for the purpose of extortion.[2]

The study of sextortion is significant due to its far-reaching consequences and implications for individuals, society and the legal system. Sextortion can have severe psychological, emotional, and social impacts on victims. By studying sextortion, the researchers can better understand the experiences and needs of victims, develop support systems, and implement preventative measures to protect potential victims. Sextortion often involves illegal activities, such as extortion, blackmail and the distribution of explicit material without consent. Understanding the legal and criminal justice aspects of sextortion is crucial to ensure that appropriate laws are in place, law enforcement is equipped to handle cases effectively and offenders are brought to their fate.

Thus, in the backdrop of above discourse, the present research paper aims at throwing light on the emerging crime of sextortion and the profound impact it has on victims' lives. The transnational nature of these crimes, anonymity of perpetrators, and jurisdictional complexities make it a multifaceted problem that requires adaptation to sophisticated digital capabilities and legal intervention. An attempt has been made in the instant article to analyse the extent to which sextortion is addressed by the existing laws in India.

2. SEXTORTION AS AN EMERGING DIGITAL CRIME

Sextortion schemes often start with cybercriminals gaining access to compromising materials, either by hacking into someone's personal devices or through manipulation, where the victim willingly shares images or videos. Once the perpetrator attains these materials, they threaten to share it unless the victim complies with their demands. Sextortion is one such crime that involves private information getting into the wrong hands. This kind of sexual blackmail is an awful, humiliating attack that thrives on the victim's shame. The act of coercing the victim into sexual activity, such as posing for explicit photos or performing sexual acts in front of a camera, or demanding a heavy amount, is what distinguishes sextortion from online blackmail.[3]

Sextortion is most frequently carried out using social media platforms. Sextortionists build close relationships with their potential victims through online conversations or text messages. Once they have the victim's trust, they use manipulation to get them to give them

2 Information Security Awareness, https://www.infosecawareness.in/concept/student/beware-of-online-sextortion (last visited Apr. 25, 2025).

3 FBI, https://www.fbi.gov/how-we-can-help-you/scams-and-safety/common-frauds-and-scams/sextortion (last visited Apr. 29, 2025).

explicit images or videos. These explicit materials are then used as a form of blackmail, forcing the victims to create additional explicit content in accordance with the perverse standards of the perpetrator. The effects of sextortion are particularly severe, especially for most of its female victims, as it leaves them with feelings of guilt and shame that frequently keep them from seeking assistance out of concern for judgment and further humiliation.[4] The victim's silence and unwillingness to speak up greatly increase the perpetrator's control over them. Blackmail is a common component of sextortion, where the victim is threatened with revealing sexual images or information if they do not give money or engage in sexual activity. Texts, videos, and images can all be used for this. Social media platforms are a frequent method of blackmail. For instance, a boyfriend might coerce his online girlfriend to engage in extramarital sex without her consent or pose naked for a camera by threatening to publish an intimate or nude photo of her. This would be considered hardcore pornography.[5] The act of extracting money and other sexual favours through unauthorized use of victim's online sexual materials denigrates human dignity transgressing the legal right to privacy.

In India, Indian Penal Code, 1860 had dealt with extortion under section 388 which emphasized on holding a person legally accountable for acting with the the intent of generating fear of injury or threat in unlawfully demanding property from victims. Bhartiya Nyaya Sanhita, 2023 which has replaced the Indian Penal Code, 1860 also deals with extortion under section 308 in protecting individuals against threats and intimidation but is silent in addressing the crime of extorting money or property or demanding of sexual favours through leak of sexual images or materials in the public domain through digital mode. Sextortion in India is real as a recent survey revealed that fifty-five percent of the India's Generation Z were victimized through sextortion and seventy-one percent had no control over the images that they had shared online.[6] This triggers the need for law in India to provide remedies to victims and prosecute cybercriminals committing sextortion. Recognizing the magnitude of this serious concern, India has made provisions for digital platforms to authenticate user consent through government approved IDs under the draft Digital Personal Data Protection (DPDP) Rules, 2025.[7]

4 Raoul J. Notte, *Exploring the Impact of Sextortion on Adult Males: A Narrative Approach*, SSRN, (Sep. 29, 2023),https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4648589.

5 *Id.*

6 Campaign India, https://www.campaignindia.in/article/55-of-indian-gen-z-fell-victim-to-sextortion-in-2024-snap-study/500608 (last visited Jun. 22, 2025).

7 *Id.*

3. ISSUES IN DEALING WITH SEXTORTION

While dealing with sextortion many issues might arise. Depending upon the modes and methods of the crime the outcomes may also be diverse.

3.1 Sextortion through social media platforms

The rise of social media, especially during the Covid-19 pandemic, has led to a significant increase in the use of various platforms, with Facebook being among the most widely used. These platforms were primarily designed to help users build virtual communities for legitimate purposes such as maintaining personal connections and professional networking. However, they are also being exploited by some individuals for unlawful activities like sextortion.

In such cases, perpetrators often create fake identities to connect with potential victims online. They may manipulate or coerce these individuals—often women, who are particularly vulnerable—into engaging in explicit acts over webcam. This coercion can involve false promises, financial lures, or threats. The criminals secretly record these sessions and later use the footage to blackmail the victims, threatening to expose the content to their family, friends, or the public. While women are frequently targeted, men can also fall victim to these cybercrimes.[8]

3.2 Apprehension of stigmatization

Victims of sextortion often hesitate to come forward due to the fear of social stigma associated with such incidents. The feelings of guilt and the anticipation of being judged by society make it even harder for them to report the abuse. When someone—typically a woman or girl, but sometimes even a man or boy—is coerced into offering sexual favors instead of money, they may experience a level of shame similar to that felt by survivors of rape or other sexual assaults. The fear that revealing their experience could lead to the same societal condemnation further discourages them from speaking out.[9]

3.3 Lack of Witnesses and other Evidences

In many cases, the lack of witnesses and concrete evidence poses a significant barrier to securing convictions, even when victims choose to come forward. Sextortion typically takes place in private, involving only the perpetrator demanding the sexual favor and the victim.

8 Your Legal Career Coach, https://www.yourlegalcareercoach.com/sextortion-emerging-challenges-and-solutions/ (last visited May. 7, 2025).

9 *Id.*

This secrecy makes it difficult to prove the crime. Furthermore, when the offender holds a position of authority, victims who report the abuse often face additional victimization, making the process even more distressing.

3.4 Inadequate Legal Framework

Sextortion involves elements of both corruption and sexual exploitation, which often leads to it being prosecuted under one category or the other. In many instances, it relies on the abuse of power rather than physical force, challenging traditional notions of coercion through violence. Although having a strong legal framework is essential for tackling sextortion, major obstacles to successful prosecution often stem from weaknesses within existing institutional systems. These include a lack of resources, limited capacity to handle complaints, inadequate protection for victims, and insufficient mechanisms for redress. In some cases, institutional corruption itself has been identified as a significant barrier to holding public officials accountable.[10]

3.5 Unreported cases

In a country in which people are mostly technologically illiterate, they hardly have any information about the procedure of reporting the cases. Sextortion victims are mostly unaware that their actions are illegal. Just because consent has been provided by the victims for the acts, they feel that the cases cannot be registered against the perpetrators. Furthermore, many victims are unaware of where or how to report a sextortion claim.

4. IMPACT OF SEXTORTION

In the technologically concentrated world, receiving an unsolicited message with explicit content from an unfamiliar person is common. It is frequently observed that individuals are engaged in sexually explicit online conversations with random people either for self-gratification or to avoid loneliness. The digital media users are to very cautious while conversing with strangers online. With more than 500 cases reported daily, sextortion, a pervasive cybercrime in today's world, poses a serious problem in India.[11] It is crucial to keep in mind that the actual number of cases is probably much higher because many occurrences go unreported. This worrying development highlights the scope of the problem in India and the fact that sextortion affects millions of people. Particularly alarming is the

10 *Id.*

11 Yashaswi Yadav, *India becoming Sextortion Capital of the World,* Times of India (Mar. 2022), https://timesofindia.indiatimes.com/blogs/voices/india-becoming-sextortion-capital-of-the-world/.

fact that these con artists can even target highly educated people in influential positions across a variety of professions. Everyone is a potential target of sextortion. It does not differentiate between targets based on age, race, sex, or gender. The main goal of these perpetrators is frequently to extort money, and they succeed because the victims, overcome by shame, guilt, and fear, are unable to think clearly. Sextortion cases were initially primarily reported among middle-aged people, both men and women. The situation has changed though and now even young adolescents are becoming victims of these crimes.[12]

There are instances when teenage sextortion victims have tragically committed suicide to get rid of the shame and helplessness. The situation worsened since during the Covid-19 lockdown when people were locked inside their houses and could not physically communication with the family and friends.[13] This resulted in feelings of isolation and a desperate desire to make friends. This is the time when sextortion cases significantly increased and began to affect people of all ages. Sextortion victims frequently decide not to report their cases or reveal the circumstances to anyone. The cause of their silence is largely an intense shame and guilt combined with their fear of ruining their reputation. By employing manipulative language during the blackmail process, the criminals augment these feelings by isolating the victims and leading them to believe they are alone and undeserving of help.[14] It is unfortunate that society normally blame the victims for the misdeeds that have happened to them without analysing what might have happened to them. When it comes to receiving support and assistance after experiencing traumatic events like sextortion, societal attitudes and victim-blaming can pose significant obstacles.

4.1 Psychological Impact

As sextortion is an online blackmail and exploitation, it can have a significant psychological impact on its victims. There are a variety of emotional, cognitive and behavioral repercussions that can arise from the experience of being forced or manipulated into providing explicit images, videos, or participating in sexual activities under the threat of exposure or harm.

Sextortion victims may experience trauma because of the act, and they may experience

12 Mohd Taufeeque Khan, *Sextortion: An Emerging Crime and Threat to Privacy in the Digital Era,* Legal Service India, (May. 11, 2025, 11:00 AM), https://www.legalserviceindia.com/legal/article-17536-sextortion-an-emerging-crime-and-threat-to-privacy-in-the-digital-era.html.

13 Susmita Pakrasi, *Significant Increase of Cyber Crime against Women During Lockdown,* Hindustan Times, (May. 3, 2020, 5:10 AM) https://www.hindustantimes.com/india-news/significant-increase-in-cybercrime-against-women-during-lockdown-experts/story-QNPwq5Jr1iAkAXzacLnc5K.html.

14 Fangzhau Wang, *Breaking the Silence: Examining Process of Cyber Sextortion and Victims' Coping Strategies,* 31 International Review of Victimology, (2024),https://journals.sagepub.com/doi/10.1177/0269758 024 123 4 331?icid=int.sj-full-text.citing-articles.1.

symptoms that are similar to those of other trauma survivors. They might experience intrusive thoughts, nightmares, flashbacks, and hyper arousal when the incident is brought up, leading to post-traumatic stress disorder (PTSD). Their overall health and functioning may be significantly impacted by the trauma.[15] Sextortion victims frequently display extreme levels of fear and anxiety. They might be preoccupied with worries about how the exposure might affect their personal and professional lives, causing humiliation or social stigma. The symptoms of this anxiety include panic attacks, generalized anxiety disorder, and particular phobias associated with online activities. Sextortion can cause feelings of depression and hopelessness, as well as sadness and sadness. A profound sense of despair, a loss of interest in previously enjoyed activities, social withdrawal, and a detrimental effect on one's self-esteem may all be felt by victims. The victims may struggle to experience joy or meaning in their lives due to the heavy emotional toll.

Even though they are not to blame for the offender's actions, victims frequently experience intense guilt, shame, and self-blame. They might blame themselves for putting their trust in the wrong person, making a mistake, or falling for the extortionist's deceptive promises. These feelings of guilt and shame can exacerbate their emotional distress and make it more difficult for them to ask for assistance or support.

Isolation on a social and emotional level is brought on by the sextortion-related stigma and fear of judgment. A sense of isolation and a lack of social support may result from victims feeling too ashamed or embarrassed to share their experiences with others. Their emotional distress may be exacerbated and their recovery process may be hampered by the secrecy and isolation. Sextortion can have a significant negative impact on a victim's ability to trust others, especially in close relationships. They might have trust issues and worry that other people will take advantage of or betray them. Due to their tendency to doubt the motivations and loyalty of others, victims may find it challenging to establish new relationships or maintain those that already exist.

Sextortion can undermine the victim's sense of self and identity. In addition to feeling objectified, they might feel like they have lost control over their own narrative and image. Victims may struggle with a distorted sense of who they are, believing that they are broken, tarnished, or unlovable and deserving of respect. Sextortion has been linked to increased anxiety and aversion to online environments and activities. Due to their associations with the traumatic event, victims may grow afraid of technology, social media, or any online interactions. Their ability to participate in typical digital activities, employment

15 National Library of Medicines, https://www.ncbi.nlm.nih.gov/books/NBK207191/ (last visited Apr. 19, 2025).

opportunities, or social connections may be restricted by this fear.

In extreme circumstances, the psychological distress brought on by sextortion can result in suicidal ideation or self-harm. Victims may feel hopeless and think that their only option for escaping the shame and repercussions of the extortion is to commit suicide. In an unfortunate case, a businessman from Chinhut, India had allegedly committed suicide after he was coerced to pay money to cybercriminals who had threatened to publicise certain objectional images of that person with a friend he had met through social media.[16] It is crucial to understand that every person may react to sextortion differently and that the intensity and duration of the psychological effects can change by obtaining therapists' professional assistance.[17]

4.2 Mental Health of Victims

Sextortion is stigmatized and shamed widely, and this can have a serious negative effect on the mental health of those who have been subjected to it. The victims are affected by:

Victim-blaming

Society frequently accuses sextortion victims of engaging in explicit behaviour or failing to adequately protect themselves online, which feeds false notions that they are to blame for the practice. Victim-blaming intensifies feelings of guilt and shame, making it challenging for victims to ask for assistance or support.

Sexual stigma

Since sextortion frequently involves sexual acts or explicit content, it can aggravate the stigma that society already places on being gay. Victims might worry about being judged, held accountable, or rejected by their communities. This fear may result in isolation and self-imposed silence.

Invasion of privacy

One's right to privacy is violated by sextortion because it frequently entails the public sharing of private photos or videos. This privacy invasion can be extremely degrading and

16 Pathikrit Chakraborty, *Beware: Sextortion trap getting wider and dangerous,* Times of India (Oct. 6, 2023, 12:46 PM) https://timesofindia.indiatimes.com/city/lucknow/sextortion-trap-getting-wider-dangerous / articlesh ow/104199523.cms

17 Tonya Howard, *Sextortion: Psychological Effects Experienced and Seeking Help and Reporting Among Emerging Adults,* Walden University (2019), https://scholarworks.waldenu.edu/dissertations/6584/ (last visited on Apr.25, 2025).

humiliating, causing the victim great shame and embarrassment.

Social and Professional Effects

The fear of exposure and the potential harm to one's personal and professional relationships can be paralyzing. Victims might be concerned about being judged, losing the confidence of loved ones, coming up against harassment or discrimination, or suffering negative career outcomes. These worries exacerbate the shame and stigma associated with sextortion.

Emotional Distress

Sextortion can cause intense emotional distress, such as anxiety, depression, PTSD (Post-Traumatic Stress Disorder), and suicidal thoughts. The stigma attached to these mental health conditions can exacerbate victims' feelings of shame and make it more difficult for them to get help. Supporting victims and educating the public about this type of cybercrime requires addressing the stigma and shame related to sextortion.

It is important to acknowledge that the psychological and mental impact of sextortion on victims is further aggravated when such persons are unaware of the laws combating this heinous crime. Law against sextortion with provisions relating to mandatory counselling for victims and explicit guidelines on the procedure for filing complaint against such crime is essential to render adequate safety of people in the digital space.

5. SEXTORTION UNDER INTERNATIONAL LAW AND OTHER JURISDICTION

The United Nations Declaration on the Elimination of All forms of Violence Against Women, 1993 says that gender-based violence refers to physical, sexual or psychological harm perpetrated into women. So, it can be interpreted that sextortion qualifies as a violation of this Declaration. There is no specific law on sextortion as of now, but the documents dealing with human rights includes the idea of sextortion in their provisions. Under the Universal Declaration of Human Rights, 1948 protection and preservation of right to privacy, dignity and security is stressed.[18] These rights include digital rights as well. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979, obligate States Parties to eliminate violence and discrimination against women.[19] The CEDAW Committee has interpreted sexual harassment and sextortion as

18 UDHR, arts.1, 3 and 12

19 CEDAW, arts. 2,5 and 6

forms of gender-based violence.[20] The Convention on the Rights of the Child, 1989 also criminalise sexual exploitation of children.[21] It states that the States Parties are to protect the child from all forms of sexual exploitation and sexual abuse. Such exploitation may include coercion of a child to engage in any unlawful sexual activity, child prostitution or use of children for pornographic purposes. These activities can be done digitally also.

The Budapest Convention on Cybercrimes 2001 does not explicitly mention the crime of sextortion, but specifies similar forms of offences such as child sexual abuse and offenses against the integrity which are perpetrated through computers.[22] This international treaty focuses on unifying efforts in the international level for combating cybercrime.[23] Sextortion is an image-based sexual abuse which is being carried out by criminals with highest degree of specialization. This Convention is the first international commitment in developing solidarity in fighting against electronic sexual blackmail crimes such as sextortion which endangers the lives and property of internet users.[24] Cybercrimes are cross borders and therefore requires international cooperation in confronting internet related offence such as sextortion. In this regard the Budapest Convention is praiseworthy as it facilitates exchange of cooperation through collection of evidence or extradition of criminals involved in cybercrimes.[25]

In the United States, sextortion is viewed as extortion in sexual circumstances where an adult may convince a person under eighteen years to age to share or perform sexual acts online.[26] The National Crime Agency of the United Kingdom explain sextortion as a blackmail in which the criminals with fake identities befriend victims online and then ask them to perform sexually in the webcam. In Australia, law considers sextortion as a threat of sharing images online if demands are not fulfilled.[27] Criminal law of these countries has penalized sextortion as an internet related offence.

20 CEDAW Committee, General Recommendation No. 35, 2017

21 Section 34, CRC

22 art. 9

23 Duha S. I. Nazzal and Abdelsalam Hammash, *Combating Cyber Sextortion Crimes in International Law and National Legislation,* 11 GJPLR. 32, 42 (2023), https://eajournals.org/gjplr/wp-content/uploads/sites/36/2023 /12/Combating-Cyber-Sextortion.pdf

24 Duha S. I. Nazzal and Abdelsalam Hammash, *Combating Cyber Sextortion Crimes in International Law and National Legislation,* 11 GJPLR. 32, 42 (2023), https://eajournals.org/gjplr/wp-content/uploads/sites/36/2023 /12/Combating-Cyber-Sextortion.pdf

25 *Id.*

26 Guilherme France, *Criminalising sextortion: challenges and alternatives,* Transparency International, (Jun. 8, 2022) https://knowledgehub.transparency.org/assets/uploads/kprod ucts/ Crimina lising-sexto rtion_final_10.06.2022.pdf

27 *Id.*

6. ANALYSING THE LAW IN INDIA AND PRACTICAL CONCERNS RELATING TO SEXTORTION

Case studies reveal that victims of sextortion have taken their lives out of shame and distress in India. It was reported that a person named Ryan was sent a romantic photograph of a female by an online perpetrator and Ryan was asked to provide his picture in return. The moment Ryan shared his intimate picture, the cyber-criminal threatened Ryan to publicize his photo to Ryan's friends and family unless he catered to the perpetrators demand of paying up 5000 dollars. Police reported that Ryan killed himself after this incident.[28]

In another case, Mumbai police arrested a 23-year-old student from Rajasthan for his involvement in a sextortion racket. It was alleged that the student had extorted an amount of seventy-one thousand rupees from a fifty-seven-year-old man with the threat of sending his obscene videos to his contacts. The student was arrested by the police. It was revealed that the victim was requested by a woman on WhatsApp to upload his strip video. Thereafter the victim was messaged that if he did not pay the money demanded, then his video would be uploaded in the social media platform.[29]

A Youtuber pretended to be a crime branch officer of Delhi and extorted an amount of four and a half lakhs of rupees from a person threatening to upload a private video in the social media platform.[30]

It is a major concern that the digital laws in India are not yet adequately updated to match the pace of the emerging crimes in the society. India is dealing with the serious digital crimes mostly with the help of the existing traditional criminal laws only. The Information Technology Act, 2000 was adopted by the Indian Parliament which was later amended in 2008. This Act partially deals with the sexual offences committed digitally. But sextortion is not explicitly addressed by the Act. Violation of Privacy is a crime under the Act and is punishable in India. It states that anyone who intentionally or knowingly captures, publishes, or transmits an image of a person's private area without their consent can be punished with up to three years in prison, a fine of up to two lakh rupees, or both.[31] The law also addresses

28 Offender Watch, https://www.offenderwatch.com/post/sextortion-increasing-suicide-rates-among-teens, case of Dec, 2022, (last visited May. 8, 2025).

29 *Maharashtra: Retired Army Man Loses Rs. 3.7. lakh in Sextortion*, Times of India (Nov. 19, 2023, 10:17 AM), https://timesofindia.indiatimes.com/city/pune/retired-army-man-loses-3-7-lakh-sextortion case/ articleshow /105324203.cms.

30 Pathikrit, supra note 16.

31 The Information Technology Act, 2000, § 66E, No. 21, Acts of Parliament, 2000 (India).

matters relating to publishing or transmitting obscene materials in electronic forms[32] and publishing or transmitting material containing a sexually explicit act[33]. Punishments imposed are imprisonment of three years and fine of five lakh and imprisonment of five years and fine of ten lakhs respectively.

The Indian Penal Code, 1860, which has been replaced recently, contained provisions under Section 354 which provided for punishment for assaulting or using criminal force with the intent to outrage the modesty of a woman. Also, the connected sections like 354C and 354D were also on the crimes of voyeurism and stalking respectively which can be digital crimes also. As of July, 2024 Bharatiya Nyaya Sanhita which has replaced Indian Penal Code, 1860 has similar provisions dealing with outraging modest[34], capturing image of woman involved in private act[35],following the woman and monitoring her use of email or internet[36], exhibits objects in any form to outrage the woman or intrude upon her privacy[37]. These actions threaten the safety of women in virtual space. Thus, sextortion in the garb of these offences against women attracts the penal consequences under the Bharatiya Nyaya Sanhita. However, these legal provisions are not gender neutral and as of now it is too early to assess how far these provisions will be helpful in dealing with the emerging offence of sextortion. Therefore, in the present scenario, unfortunately, in India there is no specific law which intricately explores the trenches of sextortion and penalise it.

Recently, the judiciary has dealt with crime of sextortion in the matter relating to a person Dewan Singh Malik who claimed that on October 10, 2022 an unknown woman had video called him in WhatsApp and asked for a private video from him. The said video call was recorded and later on he had received calls from people who introduced themselves as policeman and employees from Youtube threatening him that the recorded call will be removed from the virtual space such as Instagram, Youtube if he paid up and ultimately they extorted an amount of sixteen lakhs from him. They also falsely implicated him in the murder of woman who had video recorded his call.[38] The accused persons were fake police officers and had forged identity cards. This was not the only instance as the present case evidenced that during the analysis on National Cyber Reporting Portal, these accused persons have also victimised other people and there were 10 complaints against

32 The Information Technology Act, 2000, § 67, No. 21, Acts of Parliament, 2000 (India).
33 The Information Technology Act, 2000, § 67A, No. 21, Acts of Parliament, 2000 (India).
34 The Bharatiya Nyaya Sanhita, 2023, § 74, No. 45 Acts of Parliament, (2023).
35 The Bharatiya Nyaya Sanhita, 2023, § 77, No. 45 Acts of Parliament, (2023).
36 The Bharatiya Nyaya Sanhita, 2023, § 78, No. 45 Acts of Parliament, (2023).
37 The Bharatiya Nyaya Sanhita, 2023, § 79, No. 45 Acts of Parliament, (2023).
38 Soukin v. The NCT State New Delhi, Bail Appln. 177/2024, High Court of Delhi.

such perpetrators. [39] In the present case High Court of Delhi stated that social menace of sextortion profoundly violates privacy. Intimate images and videos are obtained for the purpose of exploiting and extorting from victims' pecuniary gains or favours and traumatises such persons psychologically. The Court acknowledged that sextortion is a crime which is cyber-enabled and it undermines the dignity of individual and is a serious challenge to the enforcement of law due to its cross jurisdictional nature.[40] The facts of the present case explicitly indicate that sextortion is complex and thorough legal initiatives are expeditiously required to dismantle the grievous modus operandi of sextortion with strikes at the very core of human dignity.

Online anonymity and access to technology play significant roles in the prevalence of sextortion. The ability to remain anonymous online allows perpetrators to hide their identities while coercing victims. This anonymity provides a sense of security for offenders, enabling them to exploit others without fear of immediate consequences. Moreover, the widespread availability of technology facilitates the ease of communication, sharing of explicit content, and manipulation tactics used in sextortion. The combination of online anonymity and technological access creates an environment that enables and perpetuates sextortion, emphasizing the importance of cybersecurity measures, education, and legislation to combat this form of cybercrime.[41]

Raising awareness and providing support for victims of sextortion are crucial preventive measures and solutions in the fight against this form of cybercrime. By increasing awareness about the tactics, consequences, and available resources, individuals can be better equipped to recognize and prevent sextortion incidents. Education on online safety, consent, and privacy can empower potential victims to protect themselves. Additionally, providing comprehensive support to victims, such as counseling, therapy, and victim support organizations, is vital for their recovery and healing. By prioritizing awareness and support, we can create a safer online environment, reduce victimization, and contribute to the prevention and resolution of sextortion cases.[42]

It is imperative to inform public that sextortion is unlawful and it must be reported to avert abuses of power by online perpetrators. Legal process must be victim sensitive and provide accessible support services. There is need to overhaul the legal system in India by

39 *Id.*

40 *Id.*

41 Shanu Rajput, *Sextortion Cyber Hybrid Crime-Need to Reform Cyber Laws in India*, 4 IJLR (2024),https://ijlr.iledu.in/wp-content/uploads/2024/04/V4I1198.pdf.

42 WEPROTECT, https://www.weprotect.org/issue/sextortion/(last visited May. 13, 2025).

introducing judicial and police reforms. To materialise this, there must be investment in development of infrastructure, procedures pertaining to complaints should be simplified and awareness should be generated through decentralized interventions at the community level. To ensure effective administration of justice in the fight against sextortion all stakeholders must be trained on gender sensitization, human rights and the law. The judiciary also must play a more active role in addressing cases of sextortion.

7. CONCLUSION AND THE WAY FORWARD

With the digital revolution, the emergence of sextortion as a malicious and devastating cybercrime has posed significant challenges to individual communities, and society. This present article has sought to shed light on the multifaceted nature of sextortion, examining its methods, impact on victims, and the broader implications it holds for the interconnected world. Throughout this doctrinal discourse, it has become evident that sextortion is not merely a technological issue but a deeply rooted societal problem that requires a comprehensive and multidisciplinary response. The psychological manipulation and exploitation tactics employed by sextortionists highlight the urgent need for increased awareness and digital literacy among individuals. Empowering individuals to recognize the warning signs, adopt strong security practices, and cultivate a culture of consent and respectful online behaviour is crucial in mitigating the risks of falling victim to sextortion. Thus, in view of the above analysis the authors propose the following measures to address sextortion:

a. Sextortion must be defined under Indian Law through amendment of the Bharatya Nyaya Sanhita and stringent punishment should be prescribed for criminals indulging in sextortion. Legal protection can lessen the stigma attached to reporting these crimes while also assisting victims in feeling validated.

b. Fast track Courts can be set up for expeditiously disposing of cases relating to sextortion while maintaining the privacy of the victims.

c. Education, awareness campaigns, and open dialogue can create safer digital environments, reducing the vulnerability of potential victims and increasing the chances of early detection and intervention. There is a need to promote the idea, thorough education about the realities of sextortion, stressing that victims are not to blame for perpetrators' actions.

d. There is a need to create online and offline support groups that provide victims with a place to talk about their experiences without worrying about being judged.

For victims navigating the aftermath of sextortion, these networks can offer emotional support, resources, and direction.

e. Digital Literacy programmes must be conducted in public and private sectors including educational institutions to teach people about the means of protecting personal data by not oversharing private information in social media platforms.

f. Encourage victim empowerment and resilience by highlighting the triumphs of survivors over the stigma and shame associated with sextortion. There is a need to ensure victim-centric legal procedures that protect identity and dignity during investigation and trial.

g. Tech companies can help the victims to remove images and, in some cases, remove the threats also. Victims can report the threats and the people threatening them and the images if those have been shared by taking help of the police.

h. Intensive research is warranted to explore emerging technologies, policy frameworks, and innovative approaches to combat sextortion effectively. The rapid evolution of the digital landscape demands ongoing vigilance, adaptability and collaboration to stay ahead of perpetrators and protect potential targets.

i. India can also engage with global platforms like INTERPOL, United Nations Office on Drugs and Crime (UNODC), and International Telecommunication Union (ITU) to address transnational aspects of sextortion. International cooperation is mandatory to deal with any digitally emerging crimes such as sextortion.

j. The effective implementation of the Digital Personal Data Protection Act, 2023 (DPDP Act) through operationalization of the draft Digital Personal Data Protection Rules 2025 can ensure protection to citizens in India against digital harms and breach of personal data. The 2025 rules provide the citizens the right to erasure their personal data from digital platforms thereby ensuring online safety.

Combating sextortion requires strong legal frameworks, digital literacy, victim support systems, and active collaboration between individuals, communities, law enforcement, and tech companies. Only through awareness, empathy, and collective action, a safer digital environment can be created where the fundamental human right to live with dignity and security is upheld.