

Cyber Crimes in Kerala: A study

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Abstract

With the advancement of technology, cybercrimes increases. A study of growing cybercrimes in Kerala is made. An Illustration of the share of Kerala in the country's crime statistics is done. A special mention is made on the increasing cybercrime against women. Topic wise distribution of cybercrimes in Kerala is given and is compared to that of the country as a whole. Motives of the crimes are studied. The suspects of the crimes are being mentioned. Latest statistics of cybercrimes as reported by the National Bureau of Crime Records and State Bureau of Crime Records are mentioned. The reports published by the Hi-tech crime enquiry cell of the state government and the reports of the cyber cell, Thiruvananthapuram and Thrissur are taken for analysis. A district wise analysis of the cybercrimes in Kerala is made.

Keywords: cybercrime; Informaion Technology Act 2000; cyberstalking; cyber bullying;

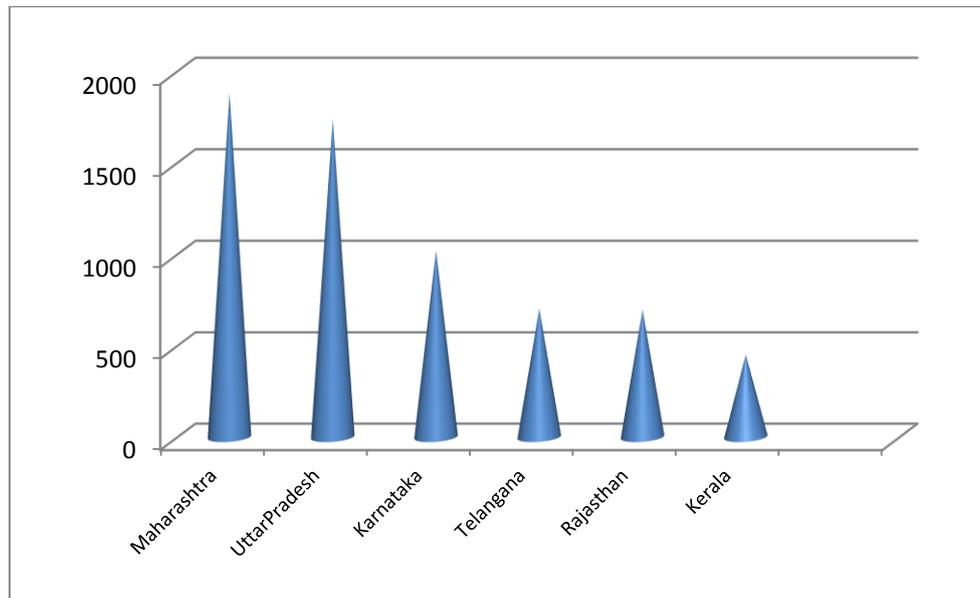
I. INTRODUCTION

Kerala, the god's own country has a lot of records to be proud of. To be the latest; Kerala has achieved 100% literacy. The only state in India to achieve the record. Keralites are the most educated and technically advanced among the other states of India. Kerala, India's first 'Digital State' is well ahead of other states in e-matters.

II. CYBER LAW AND ACTS IN INDIA

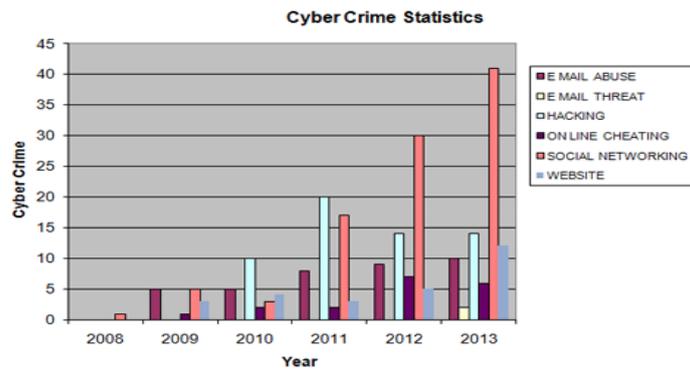
- India passed the Information Technology Act,2000 on 17th October 2000 and amended on 27th October 2009 .Amended Act is known as the information Technology(amendment) act,2008.
- Along with the introduction and passing of our cyber law, Information Technology act 2000; Government of India also amended other core laws and acts for cop up with advancement information technology and control the traffic in the cyberspace.
- Kerala police act 2011-New Kerala police act is also incorporated with some important section for to curtail the wrong doings in the cyber space.

III. STATEWISE DISTRIBUTION OF CYBER CRIMES



A total of 9,622 cases were reported in the country under the cybercrimes (which includes Information Technology Act, offences under related sections of IPC and offences under Special and Local Laws (SLL)) as compared to 5,693 cases registered during the previous year (2013) which shows an increase of 69.0% over the previous year. In 2014, data on SLL cases related to cybercrimes have also been collected. Maharashtra (1,879 cases out of 9,622 cases) has reported the highest number of such crimes accounting for 19.5% of total cybercrimes followed by Uttar Pradesh (1,737 cases out of 9,622 cases) accounting for 18.1% and Karnataka (1,020 cases out of 9,622 cases i.e. 10.6%).Kerala has sixth place with 450 cases out of 9622. Furthermore, a total of 5,752 persons were arrested under such crimes during 2014 as compared to 3,301 persons arrested during the previous year (2013) registering 74.3% increase over the previous year.

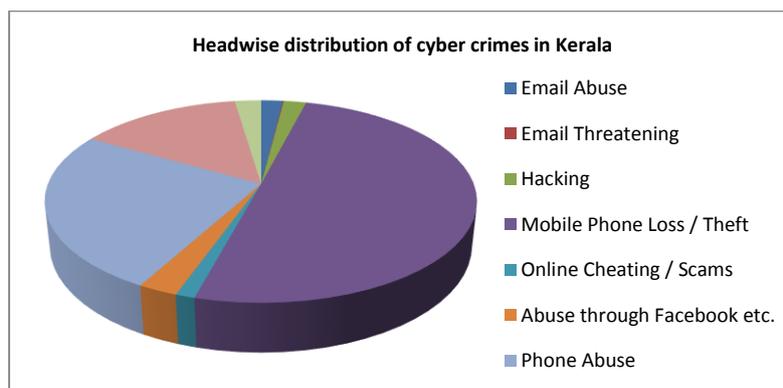
IV. CYBER CRIME STATISTICS



The social networking has become an essential in the life of people all over the world.

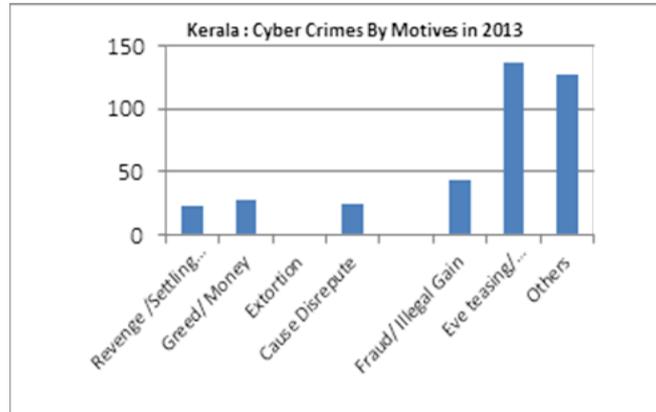
The social networking has become an essential in the life of people all over the world. That trend affects cybercrime statistics also. As the above graph shows, abuse in the social networking sites leads the statistics. And it is moving up in the graph as the year passes. Major classification of social networking cybercrimes and their laws are as follows:

- Creation of fake profiles-sec 66 C-3yrs+2 lakhs
- Sharing or posting of defamatory contents-sec 66A -3 yrs +fine
- Posting private parts of a person – sec 66 E – 3 yrs +2 lakhs
- Sexual messages and audios –sec 67 A -3 yrs +5 lakhs
- Posting sexual videos – sec 67 A -5 yrs +10 lakh(7 yrs +10 lakhs)
- Posting and downloading sexual videos of children – sec 67 A -5 yrs +10 lakh(7 yrs +10 lakhs)

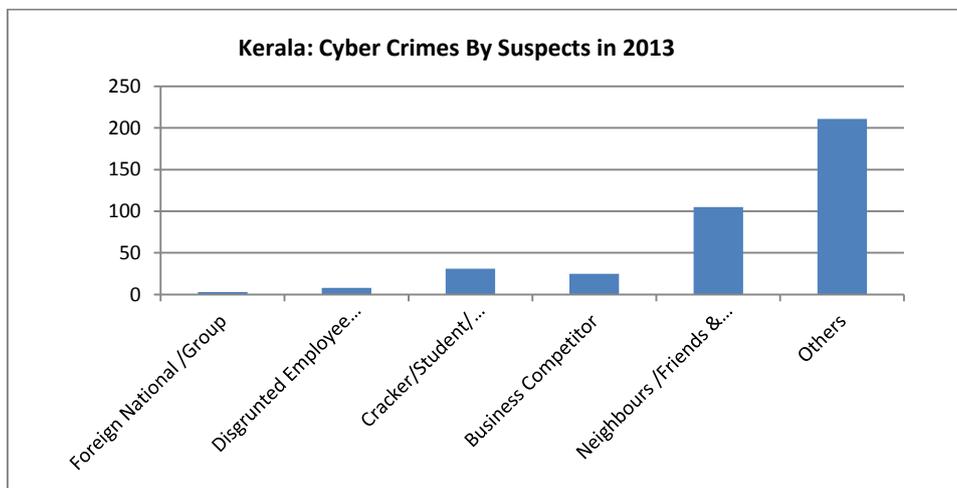


Almost half of the cyber cases in Kerala belong to the mobile phone loss or theft(1857 out of 3698).

V. INCREASING NUMBER OF CRIMES AGAINST WOMEN

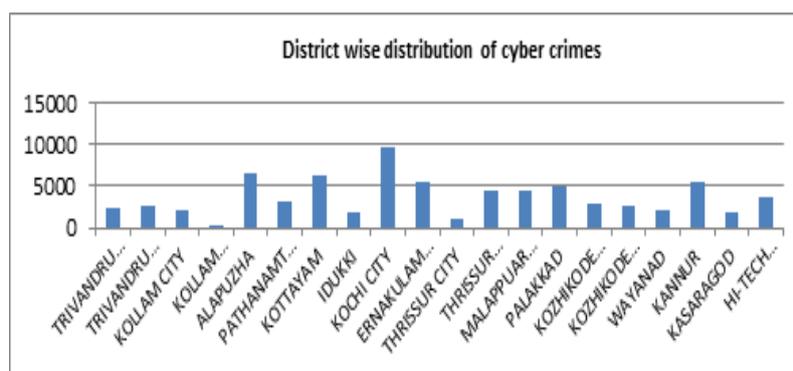


According to the reports of the state, 5 out of 8 cyber-crime complaints are from women. The leading number of complaints received in Kerala are related to harassment of women through new hi-tech devices, as per the statistics of the state government. Most victims of these crimes are teenaged girls and women. Crimes were also reported by misusing social networking system and internet. According to the National Crime Records Bureau, among the motives of cyber crimes, the foremost is the Eve teasing or harassment having 136 out of 383. Most of the victims are girls and women. And even child abuse is on the hike. In the state, 35% of the crimes are done for harassing women. Another important section is revenge by an employee or a partner to an ex-employer or ex-partner. Comparing to the country wide motive of cyber crimes which is led by the greed/financial gain accounting of 18.0% (1,736 out of 9,622 cases) followed by insult to the modesty of women (6.2%) (599 cases), fraud/illegal gain (5.1%) (495 cases), sexual exploitation (3.7%) (357 cases) and personal revenge/settling scores (3.0%) (285 cases). Kerala is topped by the harassment of women.



Data on profiles of persons arrested under cybercrimes have been collected as foreign nationals and Indian citizens. A total of 3 foreign nationals and 380 Indian nationals were arrested under cybercrimes. Similarly among Indian nationals, most of the persons arrested under cybercrime were 'neighbours / friends & relatives' (105 out of 383 persons) followed by students (25 persons), professional computer geeks/hackers/crackers(31 persons) and employees/disgruntled employees (8 persons).

DISTRICT WISE DISTRIBUTION OF CYBER CRIMES



Kochi, the industrial and commercial capital of kerala has the highest number of cyber crimes record ed among the districts of the state.Then comes Alappuzha and Kottayam.The third position goes to Ernakulam Rural and Kannur.

VI. CYBER-CRIMES IN KERALA ON INCREASE

CYBER-CRIMES IN 2014: A BRIEF VIEW

| Crimes reported | Persons arrested | State's share to the country |
|-----------------|------------------|------------------------------|
| 450 | 283 | 4.7% |

Number of cyber-crimes registered has reached to more than 500 last year from 73 in 2009.In a bid to challenge the increasing number of cyber related crimes, state government proposed to set up a Cyber dome at Techno Park. The Cyber dome would accelerate police vigil to track down cyber threats and chase the perpetrators. The first cyber police station in the state was opened at Thiruvananthapuram on July, 2009.

Cyber Crime Police Station having jurisdiction all over the state of Kerala and having power to investigate any offense committed under the Information Technology (Amendment) Act 2008(Central Act 21 of 2000).

The Cyber Police Station will function under the direct supervision of the SP SCRB, IGP SCRB and the overall supervision of the ADGP (Crimes).

Cases will not normally be registered by the Cyber Police Station by obtaining complaints directly from Public. Such cases will be first registered at the concerned local PS and wherever it is felt by the Unit head that application of Cyber Forensic techniques are essential in the investigation of that case, the case will be referred to the Cyber Police Station who may continue further investigation or assist in the investigation.

The Cyber Police Station will render all necessary assistance to all investigating Officers in Cyber Crimes whenever requested for.

The Hi-Tech Cell will function as the "Petition Enquiry Branch" of the Cyber Police Station and will deal with all suspicious Cyber activity related matters which do not warrant registration of a case at the Cyber Police Station or at any local Police Station.

Mobile phone missing/mobile phone abuse petitions are being dealt with in District/City Cyber Crime Enquiry Cells and Hitech Cell, PHQ.

Original cases may be registered at the Cyber Police Station only under the orders of IGP SCRB, ADGP (Crimes) or DGP. These must be cases which involve considerable cyber analysis.

VII. POPULAR MOBILE CRIMES

- Cyber bullying : mobile phone harassment is also called BULLYING, which is a general term to describe any type of unwanted calls or messages ,or picture messages, intended to cause upset or grief !!! . As per section 66A of IT act; it will attract imprisonment up to three years or fine or both. Sec 503 IPC.
- Sexting: sending sexually explicit SMS or MMS messages over mobile phones. As per section 67 of IT Act, punishment of imprisonment up to three years and fine up to five lakh rupees or both. On the occasion of repeated offence the penalty will increase to 5years of imprisonment and ten lakh rupees fine. Sec 509 IPC and 118[d] of KP Act.
- Violation of privacy: however intentionally or knowingly captures, publishes or transmits the image of a private area of any person without his or her consent, under circumstances violating the privacy of that person, shall be punished with imprisonment which may extend to three years or with fine not exceeding two lakh rupees or both. Sec 119 KP
- Dishonestly receives stolen communication devices like mobile phones, SIM card etc. As per section 66B of IT Act, the culprit will be charged with an imprisonment up to 3 years or 1 lakh rupees fine or both.

ACKNOWLEDGMENT

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