

**2<sup>nd</sup> Academic International Conference on Law, Economics and Finance**

**(AICLEF 2016, Cambridge)**

**June 6-8 Cambridge, United Kingdom**

**INCESTUOUS RAPE, A SOCIAL STIGMA: NEED FOR  
STRINGENT LAWS IN INDIA**

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Incest is any sexual intercourse between close relatives irrespective of the age of the accomplice and their consent. It is illegal in the jurisdiction where it takes place. In all stages of development of society certain restrictions on mating have been prescribed which are conveniently described as incest-prohibitions.

Rape, incest and incestuous rape are separate offences and should be differently punished. Mutual consent is there in incest but not in rape and incestuous rape. The incidences of incestuous rape are increasing in India. There are certain relationships which are considered as pious, for instance, father-daughter, mother-son, brother-sister etc. These relations are getting disgraced by incestuous rape.

Many cases of incestuous rape reported in India are horrifying in nature. Most of the victims of such excess are very young, dependent and helpless. The inability to protect their life or due to the dominant status of the accused very few cases are reported. Due to ignominy, embarrassment and fear of social stigma on exposure many cases are reported very late. The family pressure against lodging an FIR against the father or whoever is the abusive family member in the name of family honour and loyalty are some of the reasons due to which many cases go unreported.

The most disturbing and obnoxious factors related to this offence are; many victims commit suicide because of the humiliation, shock, depression and despair due to the abuse. Particularly adolescent girls who get pregnant are either killed by their violators or by the girl's mothers, in order to prevent disgrace in society. Others develop hysterical seizures or lose their mental balance.

Some become drug addicts, runaways from home and become juvenile delinquents.

Others become precociously seductive and may take to prostitution. Similarly, boys who are sodomised are more likely to become drug addicts, delinquents and rapists. In totality irrespective of the gender, it is generally the younger lot who suffers both physical and mental

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agony due to a breach of trust from the elder relative and this has a long-lasting pessimistic impact on the individual.

The Indian Penal Code does not mention incest as a special offence, although there are many provisions related to sexual abuse. Section 90 of the IPC deals with sexual abuse of children below twelve years of age, Section 375 and 376 deals with rape, Section 377 deals with sodomy and outraging the modesty is covered under Section 354.

Even if a female minor child is sexually assaulted many times by their close relation the punishment of outraging the modesty is only two years of imprisonment. Similarly, the punishment of rape is a maximum of ten years. Incestuous rape is the most heinous offence in nature because it is a breach of trust. It should be treated under rarest of a rare case for which punishment should be grave in nature. Due to the increasing incidence of such cases in India, stringent laws should be passed for effectively curbing this crime against humanity.