



INTERNATIONAL JOURNAL OF HUMAN RIGHTS LAW REVIEW

An International Open Access Double Blind Peer Reviewed, Referred Journal

Volume 4 | Issue 2

Art. 38

2025

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Recommended Citation

Ruchi Praful Pawar, *Electronic Vengeance - Explore the Manifestation of Revenge Porn in the Internet Age*, 4 IJHRLR 569-583 (2025).

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Electronic Vengeance - Explore the Manifestation of Revenge Porn in the Internet Age

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Manuscript Received
13 Apr. 2025

Manuscript Accepted
15 Apr. 2025

Manuscript Published
17 Apr. 2025

ABSTRACT

Revenge porn is defined as the coerced distribution of private and intimate images and now it has sprouted as the serious invasion of privacy and dignity in the technological world. This research paper discovers the legal provisions for the issue of revenge porn, analyzing their implementation and impacts to give justice, security and protection to the victims. It scrutinizes the mental, social and legal effects of such crimes, illuminates the present laws and the need for bolstered regulating structure. An analogy between global and Indian laws related to revenge porn and portrays the insufficiency of the enforced laws in discouraging the perpetrators and protecting the victims. This paper also depicts the role of social media, online platforms and legal enforcement units for creating mass awareness and prohibition of such crimes. At the end it proposes legal advancements, modifications and some reform suggestions to strengthen victim support and assure rigid punishment for the perpetrators.

KEYWORDS

Privacy, Dignity, Justice, Legislation, Awareness

IMPORTANCE

Revenge porn has become a prominent issue in the digital age, showcasing the convergence of technology, privacy, secrecy and personal security. This fast and swift spread of online platform and social media has made it very simpler and convenient for extremely sensitive content to be distributed largely causing grave mental and emotional harm to the victims. Revenge porn originally the sharing of intimate and personal images and videos

to avenge someone, mostly followed by breakup, stress and tension between the couples. This issue is very dangerous because the online content can be easily disseminated globally causing permanent damage to the sufferer's reputation, dignity and mental health and loss of sense of protection and feeling of self-worth. In most of the cases, victims have minimal remedies as the prevailing laws do not sufficiently address the complexities and challenges of digital abuse and non-consensual pornography. The increasing prevalence of this issue highlights the necessity for robust legal protections, digital literacy and digital competence, technological proficiency and societal awareness to stop the exploitation of individuals and protect their dignity and self-esteem in the highly globalized society.

OBJECTIVES

1. To analyze and define revenge porn

Give a crystal clear and accurate definition of revenge porn, involving its features, means and how it varies from other forms of digital harassment

2. Examine the occurrence and the effect

Analyze the extent of revenge porn in different areas and countries

3. Study the legal framework

Study the current legal provisions which are accessible to the victims of revenge porn both in our country and globally.

Measure the effectiveness of the existing statutes such as penalizing the dissemination of intimate images without permission.

4. Compare International methods

Compare how the different countries approach the issue of revenge porn and legal protection emphasizing the innovative and conservative methods.

5. Explore the legal deficiencies and the challenges

Identify the weaknesses in the present laws concerning revenge porn

Analyze the challenges, government and the judicial system

face in prosecuting the revenge porn cases such as jurisdiction issues, secrecy of the wrongdoers and victim shaming.

6. Examine the technological challenges and solutions

Analyze how the technology especially social media and online platforms contribute to the spread of revenge and explore the solutions that can decrease its spread.

7. Put forward recommendations for legal reforms

Introduce potential legal reforms or policy changes that would strengthen protection for victims and survivors, punish the wrongdoers and enhance enforcement against revenge porn.

FEATURES OF REVENGE PORN

1. **Absence of consent**- The most defining characteristic of the revenge porn is the explicit content that is shared without the permission of that individual in this photos and videos. It is done with the motive to harm, humiliate and with the feeling of vengeance against the victims.

2. Private content

Obscene material- The picture and the videos involved are extremely intimate, sexual and graphic in nature which are very often created within a mutual relationship and then shared maliciously without permission.

Privacy invasion- The invasion is deeply personal as these material is often shared in a private and personal context such as within romantic relationships.

Once shared revenge porn may go viral at a rapid rate making it very tough for the victim to eliminate, delete or control its circulation.

3. Motive – Harm or retaliation

Emotional or psychological impact-The encouragement to the perpetrator comes from the desire to harm, embarrass or retaliate against someone typically after a breakup, argument or a quarrel. The victim is often subjected to abuse, humiliation, insults, emotional distress and reputational damage.

4. Legal and ethical issues –Privacy violation

Revenge porn is a serious form of violation of right to privacy of an individual.

Cyber bullying – The act of disseminating revenge porn can be considered as an act of cyberbullying, harassment and manipulation on an online platform.

Revenge porn laws differ from country to country.

5. Gender and power imbalances.

Although men and women both are victims of this heinous crime, women are excessively affected by revenge porn, it is more traumatizing for them. This form of abuse is often more sex specific with an emphasis on sexualizing and shaming women contributing to enlarge the societal issues such as gender biasedness and misogyny.

Exploitation of vulnerability – In many cases the victim is placed in a very bad and ugly position where their intimate images are shared by a person whom they trusted such as ex- partner.

Psychological and social impact – Victims go through a lot of mental emotional and psychological suffering including anxiety, nervousness, shame, depression and even suicidal ideation due to broad exposure of private images.

Social and professional consequences– Victims face social boycott, discrimination and harm to their professional reputation as the images could become broadly available connected to the victims personal and professional identity.

Lack of regulations on digital platforms.

Many social media platforms are censured for their slow and delayed responses and also are criticized of lack of robust mechanism to detect, avoid and delete revenge porn content.

ANALYZE THE EFFECTS OF REVENGE PORN AND HOW IT VARIES FROM OTHER COUNTRIES

Revenge porn has a very broad and a far-reaching effect on victims impacting them in a Social, psychological and mental way. Below are the key consequences of revenge porn.

1. Anxiety, depression, feelings of powerlessness and a sense of deception by the person who has shared the images. The sufferers have to go through a trauma of their private and intimate moments publicly exposed.
2. **Post-Traumatic Stress Disorder (PTSD)** is a kind of mental health condition through which the victims go through, which is marked by the symptoms like flashbacks, nightmares and severe anxiety triggered by the memories of the incident.
3. **Emotions of shame and humiliation** - The disclosure of intimate images on digital platforms leads to deep feelings shame, self-blame, and public embarrassment. After that one dark incident the sufferers may always feel that they are being judged and observed by their peers, relative's friends and neighbors leading to further emotional breakdown.
4. **Destruction of reputation and social consequences**
 - *Social boycott* – Victims go through public shaming, abuse, ridicule from the people they know. This can deteriorate their personal and social relationships and can lead to a loss of friendships.
 - *Reputational damage*- The dissemination of private images by the wrongdoer can cause a severe damage to the individual's reputation especially if that individual is a public figure, well known artist, professional, social worker or a celebrity.
 - *Discrimination*- In some of the cases victims of revenge porn face prejudice and discrimination in professional space or within their community. These things finally result in job loss, demotions and professional setbacks.
5. **Educational Downfall** - Students have to slog to focus on their academic performance and some may even drop out due to bullying or harm of reputation.
6. **Legal and criminal facets** - A lot of countries have legal aid against the revenge porn and the wrongdoers once proved guilty face imprisonments, fines, detention and civil lawsuits. There are some other countries and regions on the other side that have a deficiency of legal recourse for victims, victim's struggles to get justice due to insufficient legal framework and slow law enforcement system.
7. **Legal and privacy issues - Irreversible digital foot print** – once content is uploaded online it is almost impossible to complete delete or remove the content due to the screenshots taken by the viewers, re uploads and sharing

done by the social media users. Also, there is a serious breach of privacy suffered by the victims.

8. ***Social dynamics –victim blaming culture*** - Society often blames the victims for taking the private and intimate images rather than criticizing the perpetrators, augmenting to the victim trauma.
9. ***Paranoia experienced by the sufferers*** - The fear of being recognized and judged not only by the friends, family and relatives but also by the strangers.

Some countries in which the revenge porn is prevalent is United States (US), United Kingdom (UK), India, Australia, Canada, South Korea, Japan, Germany, France, Brazil.

LEGAL FRAMEWORK FOR ADDRESSING THE ISSUE OF REVENGE PORN IN INDIA

In India revenge porn is not separately mentioned as an offence under law but there are several provisions under the IT act (2000) under the Indian Penal Code (IPC) and address the different facets of it. Here are the main legal provisions.

1. Indian Penal Code- IPC 1860

- Section 354C (Voyeurism) – Punishes the act of capturing or sharing the private images of a women without her consent.
- Punishment -1 to 3 years of imprisonment for the first offence and 3 to 7 years for the repeat offence.
- Section 354D (Stalking)- Covers online harassment, including sharing including sharing explicit content without consent
- Section 499 and 500– (Defamation)- If the victim's reputation is harmed the perpetrator can be punished with a fine or imprisonment.
- Section 509 (outraging modesty of a women)- Covers acts intended to insult a woman's modesty

2. Information Technology (IT) Act, 2000

- Section 66 E- Violation of privacy
- Punishes capturing, transmitting or publishing private images without consent.
- Punishment –Up to 3 years of imprisonment or a fine up to 2 lakhs
- Section 67 –Obscene content

- Covers the electronic distribution of sexually explicit material.
- Section 67 A- Sexually Explicit Content
- Specifically punishes publishing or transmitting sexually explicit material in electronic form
- Punishment- Up to 5 years of Imprisonment and a fine up to 10 lakhs.

3. Protection of children from the sexual offences (POCSO) Act, 2012

- If the victim is minor, strict legal action is taken under the POCSO act including harsh punishments for offenders involved in child pornography.

4. Indecent Representation of women Prohibition Act, 1986

- Prohibits the publication and circulation of indecent or derogatory images of women.

5. Other Legal Remedies for Victims

- Filing an FIR –victims can approach the police or cyber-crime cell to report the offense
- Cyber Crime Reporting Portal –Complaints can be filed online at www.cybercrime.gov.in
- Legal Injunctions – Courts can order the removal of such content from websites and social media.

CASE STUDIES

1. Bengaluru IT professional case 2022

A women working in IT sector filed a case against her boyfriend. The story being she had refused to reconcile with her ex-boyfriend and after that her boyfriend leaked her private videos online. The accused posted the videos on various adult websites and shared them with their colleagues. The victim contacted a complaint against the cybercrime police and lodged a complaint against him which resulted in his arrest under

Section 67 and 67A OF THE IT Act (publishing obscene and sexually explicit content)

IPC section 354 C voyeurism, 506 criminal intimidation and 509 insulting a woman's modesty.

Outcome

The police worked with website administration to remove the content. The case led to awareness campaigns on digital consent and privacy.

2. Delhi Journalist Blackmail case 2018

The story throws a light on the case of a journalist in Delhi who became a sufferer of revenge porn when her ex-boyfriend, a colleague of hers shared the content material to her workplace causing significant torment. The victim filed a complaint with the cybercrime cell and the accused was booked under IPC section 354D Stalking, 506 Criminal intimidation and 509- Insulting the modesty of a women along with section 67A of the IT act publishing sexually explicit content.

Legal result

The perpetrator was arrested and the court took a strict stance against the cyber harassment. The case highlighted the national attention to the threats of cyber blackmail and the necessity of legal recourse for the victims.

COMPARISON TABLE OF REEVENGE PORN LAWS IN INDIA AND 4 OTHER SIGNIFICANT COUNTRIES AND HOW THE ISSUES IS HANDLED IN OTHER COUNTRIES

| Country | Law | Punishment/Penalty | How the issue is tackled |
|--------------|---|--|--|
| INDIA | IT act Section 66E,67,67A IPC Section 354,292 | Up to 3 to 7 years of imprisonment and fine depending upon which section is applied. | No precise and specific law for Revenge Porn, managed under cybercrime, obscenity and privacy violation laws. |
| UK | Criminal justice and Courts act,2015 | Up to 2 years of imprisonment. | Clear-cut law for Revenge Porn, treated as a criminal offense, survivors can also seek civil remedies. |
| USA | Differs from country to country (e.g. California) 647 j (4) | Differs from state to state Typically up to 6 years of imprisonment and fine | Most states have laws, Managed as criminal offense with the intent to harm but yet has no federal or central law. |

| | | | |
|------------------|---|--|--|
| Canada | Criminal Code (Section 162.1) | Up to 5 years of imprisonment. | Unambiguous and specific Federal law, Criminal offense, which involves image takedown and victim compensation options. |
| Australia | Criminal code (s. 474 .17A) + State law | Up to 7 years of imprisonment (varies from state to state) | Treated as image based abuse, criminal offence, strong victim support and online reporting tools. |

OBSERVATION

Revenge porn laws vary from country to country globally with other many significant countries having harsh and strict penalties while others depend on civil remedies. Implementation remains difficult due to jurisdictional rights issue and fast distribution of content online. Efficient international cooperation is required to fill the legal gaps and improvise victim protection.

Legal deficiencies in implementing laws against revenge porn

1. **Lack of clear and detailed laws** - In some areas existing laws do not clearly address revenge porn forcing the responsible authorities to depend on outdated provisions such as obscenity, harassment or defamation laws. This can lead to inconsistent implementation and mitigated penalties and punishments.
2. **Inadequate solutions for victims** - Even if the legal action is taken survivors may not be provided with effective remedies such as immediate content removal, financial compensation or psychological support and counselling. The elongated legal process can further traumatize survivors without assuring relief.
3. **Problem in proving intent and consent** - Prosecuting revenge porn cases often needs proving that the culprit intentionally shared the content without the survivor's consent and the accused may claim that the victim had earlier consented to the sharing of images and there was no vindictive intent making it difficult to procure convictions.
4. **Anonymity of the perpetrator** - The customers often use VPNs, fake accounts and dark web platforms to spread explicit content making it tough for law enforcements authorities to track and prosecute them. Even if a website hosting the content is recognized, operators may refuse to cooperate.
5. **Slow and ineffective content removal** - Although the laws mandate the removal of sensual content the

implementation is slow due to the officialdom of online platforms and legal loopholes.

Technological challenges and solutions to it

1. Anonymity and encryption

Challenge

- Offenders use VPNs, Tor networks and encrypted platforms e.g. telegram, discord to anonymously share revenge porn, making it difficult to track and prosecute offenders.
- End to end encryptions prevents authorities from accessing messages and recognizing the culprits.

Impact

- Statute enforcement struggles to trace digital footprints and obtain evidence.
- Even with the assistance of court orders, software companies, IT firms often cannot decrypt the messages due to privacy policies.

Possible solution

- Implement AI based content detection and metadata tracking while complementing privacy rights.

2. Vigorous content spread and hardships in removal.

Challenges

- Once an image is uploaded it spreads quickly across multiple online platforms, including social media, pornographic websites and anonymous forums e.g. 4 Chan Reddit, only fans leaks.
- Revenge porn victims face re uploading issues by the viewers, even after platforms take down the content.

Impact

- Psychological distress for victims as their images/videos keep resurfacing
- Legal takedown requests DMCA, IT Act notices are slow and ineffective in preventing viral sharing.

Possible solution

- Use hash matching technology like Microsoft photo DNA or AI based filters to automatically detect and prevent re uploads across platforms.

**RECOMMENDATIONS FOR LEGAL REFORMS AGAINST
REVENGE PORN**

1. *Meticulously designed and explicit laws* - State should introduce specific legislation penalizing legal porn and guaranteeing laws clearly define non-consensual pornography and impose strict penalties on criminals. These laws should address intention, consent and virtual nature of the crime.
2. *More robust and vigorous jurisdictional cooperation*- Given the exposed and global nature of online content, International cooperation to fix this issue is very much needed. Nations should work together to create extradition – The transfer of custody agreements and cross border legal system to litigate perpetrators who upload content from variant sites.
3. *Speedy track takedown mechanism*- Legal framework should regulate social media platforms, websites and international service provider to rapidly delete non-consensual private content upon request, proper deadlines should be set for content removal to avoid further difficulties and harm.
4. *Preferable victim support and solution*- statutes should include provisions for financial compensations, counselling services and anonymity protections for survivors. Also legal aid should be provided to help sufferers, navigate the legal mechanisms without additional emotional and financial burden.
5. *Stronger anonymity protection for victims* – Courts should enforce privacy measures, prevent victim blaming and secondary victimization which includes anonymous reporting in camera [private] court hearings and constraints on media coverage.
6. *Stricter liability for platforms and websites*- Digital companies and software, IT firms, online platforms should be held accountable for disseminating revenge porn content. Statutes should compel fines and penalties on websites that fail to delete such content within a specific deadline.
7. *Advanced and modern cybercrime investigation units*- Government should establish dedicated cybercrime units

trained to track down offenders using digital forensics, recognize anonymous users and ensure litigation.

8. *Public awareness and digital literacy programs*- Legal provisions should be accompanied by educational initiatives that each individual should be educated about digital content, online privacy and the consequences of sharing online content without consent, and raise consciousness in people to be digitally informed and aware.
9. *Emotional support and Family guidance*- Victims should be treated with care, love and attention by their family. The victim's family members should do all the efforts to help the victims to move ahead of their traumatic painful past experiences, stand for themselves, fight for justice and to live a confident, better and peaceful life.

CONCLUSION

Revenge porn is a perilous violation of privacy and personal dignity disparately affecting women and marginalized groups. Today in the society in which we are living is fully engrossed in digital and virtual world. People go crazy behind the likes, followers and subscribers, the fame and the attention of public they get through digital means and therefore a person getting fame for his good and extraordinary work on social media and an individual getting condemned and criticized for his negatives comments and such videos which are shared by some other person (criminals) on digital platforms is very normal but the mental damage suffered by the victims is of such an extreme level that damage repair takes a lot of time and till the time the things are mended the victims half of the life is destroyed and that is why issue of revenge porn is very much serious and grave. Regardless of the increasing legal identification and legal recognition often remains inadequate, obstacles in proving the intention, Sluggish implementation system. The namelessness provided by the internet further hinders the identification and prosecution of the offenders, allowing the ugly and dangerous content to go viral swiftly with little solution for survivors.

To solve this issue effectively, meticulously designed legal reforms, persuasive international cooperation, Fast takedown system, hard penalties and fines and if the damage is serious, imprisonment should also be given to the perpetrators. Awareness campaigns for the masses should be arranged, digital literacy and knowledge about revenge porn should be given to the public. Tech companies should be compelled to check the leak of intimate content on the online social media platforms such as WhatsApp, Instagram, facebook, you tube, Tik-tok and Like should be scrutinized by the law

enforcement authorities for allowing the dissemination of such vulgar content and should order the speedy removal of such content. Mental and emotional support to the victim's family to that individual, victim blaming replaced by society's support to the victim can bring a revolutionary change in this global and technical world where this issue is existing. To eliminate this hazard completely from our society the amalgamation of legal, technological and social measures is very much significant and this will only provide holistic relief to the victims.

Right to freedom of speech and expression on digital platform and privacy protection should complement each other. The purpose of using social media should be expressing ourselves, connecting and interacting with the world, socializing, networking and entertaining other people and taking the luxury of entertainment from it but without harming any individual's privacy and respect.

Collective, Coercive and Coordinated efforts can only effectively address the issue of revenge porn. Regulating online behavior and creating a free, safe and secure digital space for the users is always very much necessary and important so that people can fearlessly and comfortably use social media and online platform as their asset of expression and interaction. Support to the victims from outside and inside (mentally, legally and socially), when the trio is assisted by each other then it will give a great solace to the victims.

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