



Original Research Article

WHO ARE THEY? A CLOSER LOOK AT ACCUSED IN POCSO CASES.

Name of Author:	Abstract: Background: The Protection of Children from Sexual Offences (POCSO) Act, 2012 was enacted to safeguard children from sexual abuse and exploitation. While considerable attention has been directed toward victims, limited research has focused on the characteristics of individuals accused under the Act. Understanding the socio-demographic, behavioral, psychological, and legal awareness profiles of accused persons is essential for developing preventive and rehabilitative strategies. Aim: To study the socio-demographic profile, behavioral characteristics, mental health status, and legal awareness among individuals accused under the POCSO Act. Materials and Methods: A hospital-based observational analytical cross-sectional study was conducted in the Department of Forensic Medicine, Bidar Institute of Medical Sciences, Bidar, Karnataka, from January 2024 to December 2025. A total of 60 accused individuals fulfilling the inclusion criteria were enrolled. Data were collected using a structured proforma, interviews, medico-legal records, police documents, and psychiatric assessments. Variables included socio-demographic characteristics, substance use, criminal history, personality traits, mental health status, victim-offender relationship, and awareness regarding the POCSO Act. Data were analyzed using SPSS software. Descriptive statistics, Chi-square test, and Student's t-test were applied, with p<0.05 considered statistically significant. Results: The mean age of accused persons was 28.7 ± 8.6 years. Most accused were males (96.7%), from rural areas (61.7%), unmarried (56.7%), and belonged to low socioeconomic class (68.3%). Education up to secondary level or below was observed in 65.0% of participants. The victim was known to the accused in 78.3% of cases. Substance use was present in 51.7% of accused, while psychiatric abnormalities were identified in 28.3%. Previous criminal history was present in 21.7% and antisocial personality traits in 25.0% of participants. Poor awareness regarding the POCSO Act was observed in 70.0% of accused, and only 13.3% reported prior exposure to legal awareness programs. Conclusion: Individuals accused under the POCSO Act were predominantly young adult males from socioeconomically disadvantaged backgrounds with limited education and poor legal awareness. A substantial proportion demonstrated behavioral and psychological risk factors, including substance use, psychiatric illness, and antisocial traits. The findings highlight the importance of legal literacy initiatives, community awareness programs, behavioral interventions, and mental health assessment in efforts to prevent child sexual abuse and strengthen child protection mechanisms
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INTRODUCTION

The Protection of Children from Sexual Offences (POCSO) Act, 2012 was enacted by the Government of India to provide a comprehensive legal framework for the protection of children against sexual abuse, sexual assault, sexual harassment, and pornography. The Act introduced child-friendly procedures for reporting, investigation, and trial of offences involving minors and strengthened the legal response to crimes against children. Since its implementation, the number of reported POCSO cases has steadily increased, reflecting both improved reporting mechanisms and growing awareness among the public regarding child protection.[1]

Child sexual abuse is a major public health, social, and legal concern worldwide. Studies have shown that a substantial proportion of children experience some form of sexual victimization during their lifetime, resulting in significant psychological, emotional, and social consequences. While considerable research has focused on victims, comparatively fewer studies have examined the characteristics and profiles of individuals accused under the POCSO Act. Understanding the demographic, social, behavioral, and psychological characteristics of accused persons is essential for developing evidence-based prevention and rehabilitation strategies.[2]

Available literature suggests that most offenders are known to the victim and often belong to the victim's immediate social environment, including family members, relatives, neighbors, teachers, or acquaintances. Such findings challenge the common perception that child sexual abuse is primarily committed by strangers. Factors such as low educational attainment, substance abuse, unemployment, adverse childhood experiences, psychiatric disorders, and poor awareness of legal provisions have been reported among accused individuals in various studies.[3]

According to the National Crime Records Bureau (NCRB), thousands of cases are registered annually under the POCSO Act, making it one of the most frequently invoked legislations related to crimes against children in India. Karnataka has witnessed a notable rise in POCSO cases in recent years, including several reported incidents from the Bidar district. Despite the increasing number of cases, there remains a scarcity of systematic studies evaluating the socio-demographic profile, behavioral characteristics, mental health status, and awareness regarding legal provisions among the accused.[4]

Aim

To study the socio-demographic profile, behavioral characteristics, mental health status, and legal awareness among individuals accused under the POCSO Act.

Objectives

- 1) To assess the socio-demographic characteristics of individuals accused under the POCSO Act.
- 2) To evaluate the behavioral patterns, substance use, personality traits, and mental health status of accused persons.
- 3) To determine the level of awareness and understanding regarding the provisions of the POCSO Act among the accused.

MATERIALS AND METHODOLOGY

Source of Data

Data were collected from all eligible accused persons registered under the Protection of Children from Sexual Offences (POCSO) Act and brought for medico-legal examination to the Department of Forensic Medicine, Bidar Institute of Medical Sciences, Bidar. Additional information was obtained from medico-legal records, police reports, charge sheets, court documents, and direct interviews with the accused after obtaining informed consent. Psychiatric evaluation reports were also reviewed whenever available.

Study Design

The study was conducted as a hospital-based observational analytical cross-sectional study.

Study Location

The study was conducted in the Department of Forensic Medicine, Bidar Institute of Medical Sciences (BRIMS), Bidar, Karnataka, in collaboration with the Psychiatry Department and concerned law-enforcement authorities.

Study Duration

The study was conducted over a period of 24 months from January 2024 to December 2025.

Sample Size

A total of 60 accused individuals fulfilling the eligibility criteria were included in the study.

Inclusion Criteria

1. Individuals formally accused under the POCSO Act, 2012.
2. Cases registered during the study period.
3. Accused persons aged 18 years and above.
4. Individuals willing to participate and provide written informed consent.
5. Accused persons available for interview and psychological assessment.

Exclusion Criteria

1. Juvenile offenders below 18 years of age.
2. Individuals who refused consent for participation.
3. Cases with incomplete medico-legal or police records.
4. Individuals with severe cognitive impairment preventing reliable interview.

5. Accused persons unavailable for assessment during the study period.

Procedure and Methodology

After obtaining Institutional Ethics Committee approval, all eligible accused persons were approached for participation. Written informed consent was obtained before enrollment.

A structured and pre-validated proforma was used for data collection. Information regarding socio-demographic variables including age, gender, religion, marital status, educational qualification, occupation, locality, socioeconomic status, and family type was recorded.

Detailed personal, social, and medical histories were obtained, including previous criminal history, imprisonment, substance abuse, psychiatric illnesses, and family background. Information regarding the nature of the offence, location of incident, victim-offender relationship, use of threats or violence, number of incidents, and other crime-related details was collected from interviews and case records.

Awareness regarding the POCSO Act was assessed using a structured questionnaire evaluating prior knowledge of the Act, understanding of legal provisions, perception regarding consent involving minors, and previous exposure to legal awareness programs.

All participants underwent psychiatric evaluation by a qualified psychiatrist to assess mental status, personality characteristics, behavioral abnormalities, and the presence of any psychiatric disorders. Relevant findings were documented and analyzed.

Sample Processing

Completed questionnaires and assessment forms were checked for completeness and accuracy. Data obtained from interviews, medico-legal records, police documents, and psychiatric evaluations were coded and entered into Microsoft Excel spreadsheets. Data validation was performed before statistical analysis to minimize entry errors and missing values.

Data Collection

The following variables were collected:

Socio-demographic Variables

- Age

- Gender
- Religion
- Marital status
- Education
- Occupation
- Residence (Rural/Urban)
- Socioeconomic status (Modified Kuppuswamy Scale)
- Family type

Personal and Clinical Variables

- Medical illnesses
- Psychiatric illnesses
- Substance abuse history
- Previous criminal history
- Previous imprisonment

Crime-related Variables

- Relationship with victim
- Place of incident
- Time of incident
- Number of incidents
- Use of threat/violence
- Pregnancy resulting from offence
- Cooperation during investigation

Legal Awareness Variables

- Awareness of POCSO Act
- Understanding of legal prohibition of sexual activity with minors
- Belief regarding consent
- Exposure to awareness programs

Statistical Methods

Data were entered into Microsoft Excel and analyzed using SPSS version 25.0.

- Categorical variables were expressed as frequency and percentage.
- Continuous variables were expressed as mean \pm standard deviation (SD).
- Associations between categorical variables were assessed using the Chi-square test or Fisher's exact test.
- Comparison of quantitative variables between groups was performed using the Independent Student's t-test.
- A p-value <0.05 was considered statistically significant.
- Results were presented using tables, charts, and graphical representations wherever appropriate.

RESULTS

Table 1: Overall Profile of Accused under POCSO Act (n=60)

Variable	Mean±SD / n(%)	Test of significance	95% CI	p value
Rural residence	37 (61.7%)	$\chi^2=3.27$	48.5-73.9%	0.071
Unmarried accused	34 (56.7%)	$\chi^2=1.07$	43.2-69.4%	0.302
Education ≤ Secondary	39 (65.0%)	$\chi^2=5.40$	51.6-76.3%	0.020
Low socioeconomic status	41 (68.3%)	$\chi^2=8.07$	55.1-79.0%	0.004
Known to victim	47 (78.3%)	$\chi^2=19.27$	66.4-87.0%	<0.001
Substance use present	31 (51.7%)	$\chi^2=0.07$	38.7-64.5%	0.796
Psychiatric abnormality present	17 (28.3%)	$\chi^2=11.27$	18.5-40.8%	0.001
Previous criminal history	13 (21.7%)	$\chi^2=19.27$	13.1-33.6%	<0.001
Poor awareness of POCSO Act	42 (70.0%)	$\chi^2=9.60$	57.5-80.1%	0.002

Table 1 Rural residence was observed in 37 (61.7%) accused, though this was not statistically significant (p=0.071). More than half of the accused were unmarried, 34 (56.7%), but the association was also not significant (p=0.302). Educational status showed that 39 (65.0%) had education up to secondary level or below, which was statistically significant (p=0.020). Low socioeconomic status was present in 41 (68.3%) accused and showed significant association (p=0.004). A major finding was that 47 (78.3%) accused were known to the victim, which was highly significant (p<0.001). Substance use was present in 31 (51.7%) accused, but this was not statistically significant (p=0.796). Psychiatric abnormality was identified in 17 (28.3%) accused and was statistically significant (p=0.001). Previous criminal history was noted in 13 (21.7%) accused and showed highly significant association (p<0.001). Poor awareness regarding the POCSO Act was found in 42 (70.0%) accused, which was statistically significant (p=0.002).

Table 2: Socio-demographic Characteristics of Accused Persons (n=60)

Variable	n(%) / Mean±SD	Test of significance	95% CI	p value
Age group 18-25 years	26 (43.3%)	$\chi^2=2.13$	31.6-55.9%	0.344
Age group 26-35 years	21 (35.0%)	$\chi^2=5.40$	24.2-47.6%	0.067
Age group >35 years	13 (21.7%)	$\chi^2=19.27$	13.1-33.6%	<0.001
Male gender	58 (96.7%)	$\chi^2=52.27$	88.7-99.1%	<0.001
Rural residence	37 (61.7%)	$\chi^2=3.27$	48.5-73.9%	0.071
Urban/Semi-urban residence	23 (38.3%)	$\chi^2=3.27$	26.1-51.5%	0.071
Unmarried	34 (56.7%)	$\chi^2=1.07$	43.2-69.4%	0.302
Married	24 (40.0%)	$\chi^2=2.40$	28.6-52.6%	0.121
Divorced/Widowed	2 (3.3%)	$\chi^2=52.27$	0.9-11.3%	<0.001
Illiterate/Primary education	22 (36.7%)	$\chi^2=4.27$	25.6-49.3%	0.039
Secondary education	17 (28.3%)	$\chi^2=11.27$	18.5-40.8%	0.001
Higher secondary and above	21 (35.0%)	$\chi^2=5.40$	24.2-47.6%	0.067
Daily wage/skilled worker	29 (48.3%)	$\chi^2=0.07$	35.5-61.3%	0.796
Unemployed	18 (30.0%)	$\chi^2=9.60$	19.9-42.5%	0.002
Low socioeconomic class	41 (68.3%)	$\chi^2=8.07$	55.1-79.0%	0.004

Table 2 presents the socio-demographic characteristics of the accused persons. Among 60 accused, 26 (43.3%) belonged to the 18-25 years age group, 21 (35.0%) were aged 26-35 years, and 13 (21.7%) were above 35 years. The proportion of accused above 35 years was statistically significant (p<0.001), while younger age groups did not show significant association. Male predominance was marked, with 58 (96.7%) accused being males, which was highly significant (p<0.001). Rural residence was seen in 37 (61.7%) accused, whereas 23 (38.3%) belonged to urban or semi-urban areas; however, residence was not statistically significant (p=0.071).

Regarding marital status, 34 (56.7%) accused were unmarried, 24 (40.0%) were married, and only 2 (3.3%) were divorced or widowed. Educational assessment showed that 22 (36.7%) were illiterate or educated only up to primary level, 17 (28.3%) had secondary education, and 21 (35.0%) had higher secondary or above education. Lower educational status showed statistical significance. Occupationally, 29 (48.3%) were daily wage or skilled workers, while 18 (30.0%) were unemployed, with unemployment showing significant association (p=0.002). Low socioeconomic class was observed in 41 (68.3%) accused and was statistically significant (p=0.004).

Table 3: Behavioral Pattern, Substance Use, Personality Traits and Mental Health Status (n=60)

Variable	n(%)	Test of significance	95% CI	p value
Alcohol use	28 (46.7%)	$\chi^2=0.27$	34.6-59.1%	0.606
Tobacco use	33 (55.0%)	$\chi^2=0.60$	42.5-66.9%	0.439
Cannabis/other substance use	9 (15.0%)	$\chi^2=29.40$	8.1-26.1%	<0.001
Any substance use	31 (51.7%)	$\chi^2=0.07$	38.7-64.5%	0.796
History of violence/crime	13 (21.7%)	$\chi^2=19.27$	13.1-33.6%	<0.001
Previous imprisonment	7 (11.7%)	$\chi^2=35.27$	5.7-22.2%	<0.001
Broken family/orphan background	16 (26.7%)	$\chi^2=13.07$	17.1-39.0%	<0.001
Impulsive behavior noted	24 (40.0%)	$\chi^2=2.40$	28.6-52.6%	0.121
Antisocial personality traits	15 (25.0%)	$\chi^2=15.00$	15.8-37.2%	<0.001
Psychiatric illness present	17 (28.3%)	$\chi^2=11.27$	18.5-40.8%	0.001
Depressive symptoms	11 (18.3%)	$\chi^2=24.07$	10.6-29.9%	<0.001
Anxiety symptoms	14 (23.3%)	$\chi^2=17.07$	14.4-35.4%	<0.001
Cooperative during examination	46 (76.7%)	$\chi^2=17.07$	64.6-85.6%	<0.001

Table 3 shows the behavioral pattern, substance use, personality traits, and mental health status of the accused persons. Alcohol use was reported in 28 (46.7%) accused and tobacco use in 33 (55.0%), but neither was statistically significant. Cannabis or other substance use was seen in 9 (15.0%) accused and showed a highly significant association ($p<0.001$). Any form of substance use was present in 31 (51.7%) accused, though it was not statistically significant ($p=0.796$). A history of violence or crime was present in 13 (21.7%) accused and was highly significant ($p<0.001$), while previous imprisonment was noted in 7 (11.7%) accused and was also highly significant ($p<0.001$). Broken family or orphan background was found in 16 (26.7%) accused and showed significant association ($p<0.001$). Impulsive behavior was noted in 24 (40.0%) accused, but this was not statistically significant ($p=0.121$). Antisocial personality traits were observed in 15 (25.0%) accused, which was statistically significant ($p<0.001$). Psychiatric illness was present in 17 (28.3%) accused and was significant ($p=0.001$). Depressive symptoms were found in 11 (18.3%) and anxiety symptoms in 14 (23.3%) accused, both showing statistically significant associations. Most accused, 46 (76.7%), were cooperative during examination, which was statistically significant ($p<0.001$).

Table 4: Awareness and Understanding Regarding POCSO Act among Accused Persons (n=60)

Variable	n(%)	Test of significance	95% CI	p value
Aware of POCSO Act before incident	18 (30.0%)	$\chi^2=9.60$	19.9-42.5%	0.002
Not aware of POCSO Act	42 (70.0%)	$\chi^2=9.60$	57.5-80.1%	0.002
Understood that sexual activity with minor is legally prohibited	25 (41.7%)	$\chi^2=1.67$	30.1-54.2%	0.197
Did not understand legal prohibition	35 (58.3%)	$\chi^2=1.67$	45.8-69.9%	0.197
Believed act was consensual	27 (45.0%)	$\chi^2=0.60$	33.1-57.5%	0.439
Did not believe act was consensual	21 (35.0%)	$\chi^2=5.40$	24.2-47.6%	0.067
Not applicable/no response	12 (20.0%)	$\chi^2=21.60$	11.8-31.8%	<0.001
Past exposure to awareness programs/laws	8 (13.3%)	$\chi^2=32.27$	6.8-24.2%	<0.001
No exposure to awareness programs/laws	52 (86.7%)	$\chi^2=32.27$	75.8-93.2%	<0.001
Poor overall legal awareness	42 (70.0%)	$\chi^2=9.60$	57.5-80.1%	0.002
Moderate awareness	13 (21.7%)	$\chi^2=19.27$	13.1-33.6%	<0.001
Good awareness	5 (8.3%)	$\chi^2=41.67$	3.6-18.1%	<0.001

Table 4 describes awareness and understanding regarding the POCSO Act among accused persons. Only 18 (30.0%) accused were aware of the POCSO Act before the incident, while 42 (70.0%) were not aware, and this difference was statistically significant ($p=0.002$). Understanding that sexual activity with a minor is legally prohibited was present in 25 (41.7%) accused, whereas 35 (58.3%) did not clearly understand this legal provision; however, this association was not statistically significant ($p=0.197$).

A total of 27 (45.0%) accused believed that the act was consensual, while 21 (35.0%) did not believe so, and 12 (20.0%) gave no response or were classified as not applicable. Past exposure to awareness programs or legal education was reported by only 8 (13.3%) accused, while 52 (86.7%) had no such exposure, showing a highly significant difference ($p<0.001$). Poor overall legal awareness was seen in 42 (70.0%) accused and was statistically significant ($p=0.002$), while moderate awareness was present in 13 (21.7%) and good awareness in only 5 (8.3%) accused.

DISCUSSION

In the present study, 61.7% accused belonged to rural areas and 68.3% were from low socioeconomic class, showing statistically significant association for socioeconomic status ($p=0.004$). Low educational status was also common, as 65.0% had education up to secondary level or below ($p=0.020$). Similar findings were reported by Behere et al. (2013)[1], Choudhary et al. (2018)[2], Moirangthem et al. (2015)[3] and Sharma et al. (2018)[4], who noted that low education, poor awareness, and socioeconomic deprivation were commonly associated with sexual offence cases. Smallbone et al. (2008)[5] also emphasized that poor social environment, limited education, and lack of structured supervision may contribute to risk behaviours.

A major finding of the present study was that 78.3% accused were known to the victim, which was highly significant ($p<0.001$). This finding supports observations by NCRB (2022)[6] and Baxi (2014)[7], who reported that in most child sexual abuse cases, the offender is commonly known to the victim and may be a relative, neighbour, family friend, teacher, or acquaintance. This challenges the common belief that child sexual abuse is mainly committed by strangers and highlights the importance of family- and community-level vigilance.

Behavioural and psychiatric assessment showed that 51.7% accused had substance use, 21.7% had history of violence/crime, 11.7% had previous imprisonment, 25.0% had antisocial personality traits, and 28.3% had psychiatric illness. Psychiatric abnormality showed significant association ($p=0.001$). These findings are similar to those of Seto (2008)[8] and Smallbone et al. (2008)[5], who reported that substance use, antisocial traits, impulsivity, prior offending behaviour, and psychological disturbances may be associated with sexual offending behaviour. However, alcohol and tobacco use were not statistically significant in the present study, suggesting that substance use alone may not be an independent determining factor.

The study also revealed poor legal awareness among accused persons. Only 30.0% were aware of the POCSO Act before the incident, while 70.0% had poor overall awareness ($p=0.002$). Only 13.3% had previous exposure to awareness programs or legal education, whereas 86.7% had no such exposure ($p<0.001$). Similar concerns were raised by Bhat et al. (2020)[9], who emphasized that inadequate legal literacy contributes to poor understanding of child protection laws. Shukla et al. (2024)[10] also highlighted complexities in POCSO cases involving adolescent relationships, where accused persons may claim consent without understanding that consent is legally invalid when the victim is below 18 years.

Overall, the present study indicates that accused persons

under the POCSO Act were predominantly young adult males, often from rural, low socioeconomic, and lower educational backgrounds. A large proportion were known to the victim, and many had poor legal awareness. Behavioural factors such as substance use, previous criminality, antisocial traits, psychiatric illness, depression, and anxiety were also observed. These findings emphasize the need for legal literacy programs, community-level awareness, school-based education, early behavioural intervention, and psychiatric evaluation of accused persons where indicated.

CONCLUSION

The present study, provides important insights into the socio-demographic profile, behavioral characteristics, mental health status, and legal awareness of individuals accused under the Protection of Children from Sexual Offences (POCSO) Act.

The findings revealed that the accused were predominantly young adult males, with a mean age of 28.7 years, most commonly belonging to the 18-35 years age group. A majority came from rural backgrounds, had educational attainment up to secondary level or below, and belonged to lower socioeconomic classes. Most accused were known to the victims, emphasizing that child sexual abuse frequently occurs within familiar social environments rather than involving strangers.

Behavioral assessment demonstrated that substance use was common among accused persons. A considerable proportion had a history of violence, previous criminal behavior, antisocial personality traits, psychiatric illnesses, depressive symptoms, and anxiety. These findings suggest that psychological and social vulnerabilities may contribute to offending behavior in a subset of accused individuals.

A major observation of the study was the poor level of awareness regarding the POCSO Act and its legal implications. Most accused were unaware of the provisions of the Act, had limited understanding of the legal prohibition of sexual activity involving minors, and lacked exposure to awareness programs. Many accused perceived the relationship as consensual, highlighting the gap between social perceptions and legal definitions under the POCSO Act.

LIMITATIONS OF THE STUDY

- 1) The study was conducted at a single tertiary care center, limiting the generalizability of findings to other regions and populations.
- 2) The sample size of 60 accused persons was relatively small and may not represent all accused individuals under the POCSO Act.
- 3) The cross-sectional study design limited the ability to establish causal relationships between identified

risk factors and offending behavior.

- 4) Information regarding behavioral patterns and substance use was partly based on self-reporting, which may be affected by recall bias or underreporting.
- 5) Some accused may have intentionally concealed sensitive information due to legal concerns or social stigma.
- 6) The study included only accused persons available for medico-legal examination and willing to participate, introducing possible selection bias.
- 7) Detailed psychological assessments could not be uniformly performed in all participants because of practical and logistic constraints.
- 8) Judicial outcomes of the cases were not evaluated; therefore, the study did not differentiate between accused persons ultimately convicted and those acquitted.
- 9) Family, social, and environmental factors influencing offending behavior were not explored in depth.
- 10) The study did not include a comparison group from the general population, limiting the ability to identify independent predictors of offending behavior.
- 11) Variations in police documentation and medico-legal records may have affected data completeness and accuracy.
- 12) Findings regarding awareness of the POCSO Act

may have been influenced by educational status and social desirability bias.

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