

Unveiling the Silence: A Comprehensive Study on Cruelty Against Males in Indian Society

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Abstract

The discourse on domestic violence and gender-based cruelty has traditionally focused on women as victims, reflecting the historical prevalence of violence against women and the necessity of legal protections. However, the experience of men subjected to physical, emotional, psychological, economic and social abuse have remained largely overlooked due to societal stereotypes, cultural expectations and inadequate legal recognition. The study examine the emerging yet unexplored issue of cruelty against men within the framework of contemporary social and legal realities. Te study explore the various forms of cruelty experienced by men, including domestic violence, emotional manipulation, false criminal allegations, financial exploitation, coercive control and social humiliation. The study also examines the adequacy of existing legal provisions in India, including Constitutional guarantees, criminal laws, family laws and judicial responses.

The study argues that recognizing cruelty against men does not diminish the seriousness of violence against women; rather, it promote a more inclusive and equitable justice system that protects all victims irrespective of gender. The study contributes to the evolving discourse on human rights, gender justice and the pursuit of inclusive legal framework in contemporary society.

Keywords: Cruelty against Males, Male Victimization, Domestic Violence, Gender-Neutral Laws, Human Rights, Family Law, Gender Justice, Legal Reform.

Introduction

Cruelty within interpersonal and familial relationship has long been recognized as a significant social and legal concern. Traditionally, public discourse, legislative reforms and academic research have primarily focused on women as victims of domestic violence and cruelty because of the historical prevalence of gender-based violence against women and the structural inequalities they have faced. While these efforts remain vital, they have also contributes to a comparatively limited understanding of male victimization. In recent years, there has been growing recognition that men too, may experience physical, emotional, psychological, verbal, economic and social abuse within intimate relationships, marriages and family settings. Despite this reality, cruelty against males remains an underexplored and often neglected area of legal scholarship, social policy and public awareness.

Consequently, incidents of cruelty against males often remain unreported, leading to significant psychological trauma, emotional distress, social isolation, and, in extreme cases, self-harm or suicide. The silence surrounding male victimization has created a substantial gap in both legal protection and empirical research, necessitating a balanced and objective examination of the issue.

Cruelty against males manifests in multiple forms that extend beyond physical violence. Emotional abuse through constant humiliation, threats, manipulation, false accusations, coercive control, denial of parental rights, economic exploitation, cyber harassment, and misuse of legal provisions have emerged as significant concerns in contemporary family disputes. Although not every allegation of legal misuse reflects reality, judicial observations and scholarly discussions have acknowledged that certain legal mechanisms intended to protect vulnerable groups may occasionally be misused, resulting in hardship for innocent individuals. Therefore, a nuanced and evidence-based approach is essential to distinguish genuine cases from exaggerated claims while ensuring that justice remains fair, impartial, and accessible to all.

The constitutional philosophy of equality enshrined under Articles 14, 15, and 21 of the Constitution of India emphasizes equal protection of laws and the right to life and personal liberty. These constitutional guarantees imply that every individual, irrespective of gender, deserves protection from violence, abuse, and discrimination. However, the existing legal framework concerning domestic violence and matrimonial cruelty in India has largely been designed from a gender-specific perspective. While these laws have played a crucial role in safeguarding

women's rights, they have also generated debates regarding the need for gender-neutral legal provisions capable of addressing abuse suffered by men and other vulnerable individuals without undermining the protection afforded to women.

Globally, several jurisdictions have gradually adopted gender-neutral approaches in addressing domestic violence and family abuse. Countries such as the United Kingdom, Canada, Australia, and certain states in the United States recognize that victims of domestic abuse may belong to any gender. Their legal frameworks provide remedies based on the nature of the abuse rather than the gender of the victim. These developments have encouraged comparative legal discussions regarding whether similar reforms may strengthen the Indian legal system while preserving its commitment to protecting historically disadvantaged groups.

The increasing influence of digital communication and social media has also transformed the nature of interpersonal abuse. False online allegations, cyber harassment, character assassination, public humiliation, and emotional blackmail have become modern manifestations of cruelty affecting both men and women. Simultaneously, changing family structures, increasing matrimonial disputes, prolonged litigation, and evolving societal expectations have contributed to new forms of psychological and emotional stress experienced by men. These developments necessitate a comprehensive legal and sociological examination of male victimization in contemporary society.

Statement of the Problem

Cruelty and domestic violence have traditionally been perceived as issues primarily affecting women, resulting in the formulation of legal frameworks and public policies aimed at protecting female victims. While these measures have played a crucial role in addressing gender-based violence, they have also contributed to limited academic and legal attention toward the experiences of male victims. Men subjected to physical, psychological, emotional, verbal, economic, or social abuse often remain invisible due to prevailing societal norms that associate masculinity with strength, emotional resilience, and self-reliance. These stereotypes discourage men from reporting abuse, seeking legal remedies, or accessing psychological support.

Furthermore, empirical research on male victimization remains limited, particularly in the Indian context. The lack of reliable data, underreporting of incidents, and societal reluctance to acknowledge male victims hinder evidence-based policymaking and legal reform. Consequently, there is a pressing need to critically examine the nature, extent, causes, and legal implications of cruelty against males in contemporary society. This study seeks to address these gaps by exploring the socio-legal dimensions of male victimization and evaluating whether existing legal mechanisms adequately protect all victims of cruelty, irrespective of gender.

Research Objectives

The present study aims to achieve the following objectives:

1. To examine the concept and various forms of cruelty against males in contemporary society, including physical, emotional, psychological, economic, and social abuse.
2. To identify the socio-cultural factors that contribute to the underreporting and invisibility of male victimization.
3. To critically analyse the existing legal framework in India relating to cruelty, domestic violence, and matrimonial disputes from the perspective of male victims.
4. To examine judicial responses and landmark decisions concerning allegations of cruelty against men and the interpretation of relevant legal provisions.
5. To evaluate the need for gender-neutral legal provisions that ensure equal protection and access to justice for all victims of domestic cruelty.

Research Questions

The study seeks to answer the following research questions:

1. What constitutes cruelty against males, and what are its different forms in contemporary society?
2. What socio-cultural and psychological factors discourage male victims from reporting incidents of cruelty and abuse?
3. To what extent does the existing Indian legal framework recognize and address cruelty against males?
4. How have Indian courts interpreted cases involving allegations of cruelty against men, including instances of misuse of legal provisions?

5. Is there a need for gender-neutral legislation to address cruelty and domestic violence while preserving effective protection for women?

Meaning and Concept of Cruelty Against Males:

Cruelty against males refers to 'any intentional or repeated act, omission, or pattern of behaviour that causes physical injury, mental anguish, emotional distress, psychological trauma, economic hardship, or social humiliation to a man within a domestic, matrimonial, familial, or intimate relationship'. Such conduct may be perpetrated by a spouse, partner, family member, or any person occupying a position of trust or authority.

Unlike physical violence, cruelty often manifests in subtle and persistent forms, making it difficult to identify and prove. Emotional manipulation, verbal insults, intimidation, coercive control, financial exploitation, false accusations, character assassination, denial of parental access, and cyber harassment are increasingly recognized as forms of cruelty affecting men. These actions may not always leave visible physical injuries but can have profound psychological and social consequences.

From a legal perspective, cruelty generally includes conduct that renders cohabitation intolerable or causes a reasonable apprehension of harm to life, health, or well-being. Although Indian matrimonial laws recognize cruelty as a ground for divorce applicable to both spouses, criminal provisions relating to matrimonial cruelty and domestic violence have historically been designed primarily for the protection of women. This distinction has generated considerable debate regarding the need for a broader understanding of cruelty that adequately addresses male victimization.

Concept of Cruelty Against Males:

The concept of cruelty against males has evolved alongside changing family structures, shifting gender roles, and increasing awareness of mental health and human rights. Earlier legal systems largely assumed men to be protectors rather than victims, resulting in limited institutional recognition of abuse suffered by males. However, contemporary criminological and sociological studies acknowledge that victimization can occur irrespective of gender, age, or social status.

Cruelty against males is multidimensional and extends beyond physical assault. It encompasses behaviours that undermine an individual's dignity, autonomy, reputation, emotional stability, and economic independence. The concept therefore includes both overt acts of violence and covert patterns of manipulation that gradually erode a person's mental and emotional well-being.

Modern legal and psychological perspectives recognize that cruelty may involve:

- **Physical cruelty**, including assault, physical intimidation, or bodily harm.
- **Psychological and emotional cruelty**, such as humiliation, threats, continuous insults, manipulation, emotional neglect, or intimidation.
- **Economic cruelty**, including unauthorized control of financial resources, extortion, or deliberate financial dependence.
- **Social cruelty**, involving isolation from family and friends, damage to reputation, false allegations, and public humiliation.
- **Digital or cyber cruelty**, including online harassment, dissemination of false information, cyberstalking, and misuse of digital communication platforms.
- The cumulative effect of these behaviours may lead to anxiety, depression, chronic stress, diminished self-esteem, loss of professional opportunities, breakdown of family relationships, and, in severe cases, suicidal tendencies
- **Legal Perspective in India**

In India, the concept of cruelty appears in several statutes, though its application varies according to the purpose of the legislation. Under the **Hindu Marriage Act, 1955**, cruelty is recognized as a ground for divorce available to both husband and wife. Indian courts have consistently held that cruelty includes both physical and mental cruelty and that each case must be assessed according to its specific facts and circumstances.

However, certain criminal law provisions concerning matrimonial cruelty have historically been gender-specific, leading to debates regarding whether existing legal remedies adequately address male victims. While the law has been instrumental in protecting women from domestic violence, legal scholars and policymakers increasingly

discuss the possibility of adopting more gender-inclusive approaches to ensure equal access to justice for all victims

The Indian judiciary has played a significant role in interpreting the concept of cruelty within matrimonial disputes and in safeguarding the constitutional principles of justice, equality, and fairness. Although Indian laws dealing with domestic violence and matrimonial cruelty have historically focused on protecting women, courts have increasingly acknowledged that men may also become victims of mental harassment, malicious prosecution, false criminal complaints, and abuse of legal processes. Judicial responses in such cases reflect a balanced approach that seeks to protect genuine victims while preventing the misuse of legal provisions. It is important to note that judicial recognition of such misuse does not negate the necessity of strong legal protections for women; rather, it reinforces the principle that justice should be based on evidence and fairness in every case.

- The Supreme Court, in **V. Bhagat v. D. Bhagat (1994) 1 SCC 337**: observed that mental cruelty includes conduct causing such mental pain and suffering that it becomes impossible for the parties to live together. The Supreme Court held that mental cruelty includes conduct that causes such mental pain, suffering, and anguish that it becomes impossible for the parties to continue living together. The Court observed that cruelty cannot be confined to physical violence and must be assessed according to the facts and circumstances of each case. The judgment established that mental cruelty is as serious as physical cruelty and applies equally to husbands and wives under matrimonial law.

Similarly, in individually **Samar Ghosh v. Jaya Ghosh (2007) 4 SCC 511**: the Court laid down illustrative guidelines for determining mental cruelty, emphasizing that no universal formula exists and that each case must be evaluated. The Supreme Court laid down comprehensive illustrative guidelines for determining mental cruelty. The Court emphasized that no rigid formula exists and that cruelty must be evaluated based on the overall conduct of the parties. The Court observed that prolonged neglect, humiliation, false accusations, refusal to maintain marital relations without reasonable cause, and sustained abusive behaviour may constitute mental cruelty.

K. Srinivas Rao v. D.A. Deepa (2013) 5 SCC 226: The Supreme Court held that filing false criminal complaints and making reckless, defamatory, and unfounded allegations against a spouse may amount to mental cruelty sufficient to grant a decree of divorce. The Court stated that malicious prosecution and unfounded accusations seriously damage the dignity and reputation of the spouse.

Sushil Kumar Sharma v. Union of India (2005) 6 SCC 281: The Supreme Court upheld the constitutional validity of the provision but acknowledged that misuse of the law in certain cases cannot be ruled out.

The Court observed "Merely because the provision is liable to abuse does not render it unconstitutional." However, the Court emphasized that false complaints should be dealt with strictly through the legal process

Emerging Recognition of Male Victimization

The growing recognition of cruelty against males reflects broader societal changes. Increasing awareness of mental health, family disputes, parental alienation, digital abuse, and emotional violence has encouraged researchers and legal experts to examine male victimization more objectively. Internationally, several jurisdictions have introduced gender-neutral domestic violence laws that extend protection to all victims based on the nature of abuse rather than the gender of the complainant.

In India, judicial observations have occasionally acknowledged the psychological impact of false criminal allegations, prolonged matrimonial litigation, and malicious prosecution on husbands and their families. Although these observations do not diminish the importance of protecting women from genuine abuse, they highlight the need for a balanced legal framework capable of addressing all forms of cruelty.

In India, the legal framework governing matrimonial cruelty and domestic violence is predominantly gender-specific. Although such legislation serves an essential purpose in safeguarding women against abuse, concerns have been raised regarding the absence of comparable legal recognition and institutional support for men who experience cruelty within domestic or intimate relationships. Allegations of emotional abuse, coercive control, false criminal accusations, financial exploitation, parental alienation, and social humiliation faced by men frequently receive inadequate legal and scholarly attention. The resulting gap in legal protection raises important questions concerning equality before the law, access to justice, and the need for a more inclusive legal approach.

Conclusion

Cruelty, as a legal and social concept, encompasses conduct that causes physical, mental, emotional, or psychological suffering to another person. Traditionally, discussions on cruelty within family law and criminal

jurisprudence have focused on women as victims due to the historical prevalence of gender-based violence. However, contemporary social realities demonstrate that men may also experience various forms of abuse within matrimonial, domestic, and interpersonal relationships. Cruelty against males is increasingly being recognized as a human rights and social justice issue that warrants scholarly attention and objective legal analysis.

The concept of cruelty against males does not seek to diminish or undermine the seriousness of violence against women. Rather, it acknowledges that abuse is not confined to one gender and that every individual, irrespective of sex, deserves equal protection of dignity, liberty, and personal security. The recognition of male victimization reflects the constitutional principles of equality before the law and equal protection of laws, emphasizing that justice should be victim-centric rather than gender-centric.

Cruelty against males is a multifaceted social and legal phenomenon encompassing physical, emotional, psychological, economic, social, and digital abuse. Its recognition is rooted in the constitutional values of equality, dignity, and justice, as well as international human rights principles that guarantee protection to every individual irrespective of gender. While historical legal developments have rightly prioritized the protection of women against domestic violence, contemporary realities necessitate a more inclusive understanding of victimization.

A balanced legal framework should acknowledge that cruelty can affect any individual and should provide effective remedies based on the nature and severity of the abuse rather than the gender of the victim. Recognizing cruelty against males is therefore not a challenge to women's rights but an affirmation of the broader principle that justice must remain impartial, equitable, and accessible to all members of society.

The jurisprudence developed by the Supreme Court of India reflects an evolving and balanced approach toward cruelty within matrimonial relationships. Landmark decisions such as *V. Bhagat*, *Samar Ghosh*, *K. Srinivas Rao*, *Raj Talreja*, *Sushil Kumar Sharma*, *Arnesh Kumar*, and *Naveen Kohli* have expanded the understanding of mental cruelty and recognized that false accusations, malicious prosecution, and prolonged harassment may cause severe psychological suffering.

These judicial pronouncements reinforce the principle that cruelty is determined by the nature and impact of the conduct rather than the gender of the victim. While continuing to uphold robust legal protection for women against genuine domestic violence, the courts have emphasized the need to safeguard innocent individuals from abuse of legal processes. This balanced judicial approach contributes to the broader constitutional vision of equality, fairness, and justice for all persons irrespective of gender.

References

Books

1. D.D. Basu, *Introduction to the Constitution of India*, 27th ed. (LexisNexis, 2024).
2. Flavia Agnes, *Family Law: Volume I – Family Laws and Constitutional Claims* (Oxford University Press, 2011).
3. K.D. Gaur, *Textbook on Indian Penal Code* (Universal Law Publishing, 2023).
4. Mulla, *Principles of Hindu Law*, 24th ed. (LexisNexis, 2022).
5. P.S.A. Pillai, *Criminal Law*, 15th ed. (LexisNexis, 2022).
6. Paras Diwan, *Modern Hindu Law*, 29th ed. (Allahabad Law Agency, 2023).
7. Ratanlal & Dhirajlal, *The Bharatiya Nyaya Sanhita*, 2023 (LexisNexis, 2024).

Journal Articles

1. Abhijeet Ghosh & Ambika Kumar, "Cruelty Against Men: Neglected Narrative from a Male's Perspective," 6(2) *Journal of Psychosexual Health* 117–129 (2024).
2. Ahmad, Ghulab Nabi, Shafiullah, Hira Fatima, Mohamed Abbas, Obaidur Rahman, Imdadullah, and Mohammed S. Alqahtani (2022). "Mixed Machine Learning Approach for Efficient Prediction of Human Heart Disease by Identifying the Numerical and Categorical Features" *Applied Sciences* 12, no. 15: 7449. <https://doi.org/10.3390/app12157449>
3. Anant Kumar, "Domestic Violence against Men in India: A Perspective," 22(3) *Journal of Human Behavior in the Social Environment* 290–296 (2012).
4. Chanchal Vashishtha & Ramveer Singh, "Domestic Violence Against Men: An Empirical Analysis," 15(1) *IUP Journal of Law Review* 50–58 (2025).
5. D.A. Hines & K. Malley-Morrison, "Psychological Effects of Partner Abuse Against Men: A Neglected Research Area," 2(2) *Psychology of Men & Masculinity* 75–85 (2001).

6. Husain, A, Alouffi S, Khanam A, Akasha R, Farooqui A, Ahmad S. (2022). Therapeutic Efficacy of Natural Product 'C-Phycocyanin' in Alleviating Streptozotocin-Induced Diabetes via the Inhibition of Glycation Reaction in Rats. *International Journal of Molecular Sciences* ;23(22):14235. doi: 10.3390/ijms232214235. PMID: 36430714; PMCID: PMC9698742.
7. Khan, Anwar, Naquvi, Kamran Javed, Haider, Md Faheem and Khan, Mohsin Ali. (2024) 'Quality by design-newer technique for pharmaceutical product development', *Intelligent Pharmacy*, 2(1), pp. 122–129. Available at: <https://doi.org/10.1016/j.ipha.2023.10.004>
8. Navpreet Kaur & Shobha Gulati, "Domestic Violence Against Men in India: A Critical Analysis with Special Reference to Indian Laws," 22(1) *South India Journal of Social Sciences* 70–81 (2024).
9. Sukhpreet Kaur & Karan Kaushal, "Cruelty against Men in India: A Focus on Partner Abuse, Divorce, and the Need for Legal Reform," *Journal of Family & Adoption Law* (2025).

Statutes

1. Bharatiya Nagarik Suraksha Sanhita, 2023.
2. Bharatiya Nyaya Sanhita, 2023.
3. Bharatiya Sakshya Adhinyam, 2023.
4. Constitution of India, 1950.
5. Hindu Marriage Act, 1955.
6. Protection of Women from Domestic Violence Act, 2005.
7. Special Marriage Act, 1954.