



The Mind of Criminal: Exploring Psychology, Criminology, And Punishment In India

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INTRODUCTION

In order to understand the complex patterns of crime and its effects on society, criminology—the scientific study of crime and criminality - has become a crucial field of study. In order to lessen the impact of criminality and improve public security, criminologists seek to understand the causes, effects, and control of crime. Given the social, economic, and cultural diversity of India, criminology is especially important there. Indian economic growth, urbanization, and social transformation have created new challenges for the criminal justice system and the law enforcement machinery. In the words of Indian criminologist Dr. R.N. Kaul, "Criminology in India must address the root causes of crime, i.e., poverty, inequality, and social injustice." (Kaul, 1975) Scholars like Dr. Singh have emphasized that an all-encompassing strategy to avoid control should be adopted based on sociology, psychology, law, and economics. (Singh, 2012) Indian Journal of Criminology, a publication of Indian Society of Criminology, is an appropriate venue for scholars to submit research on crime and criminal justice in India. Worldwide, criminology uses inter-disciplinary theories to explain crime and its impact. Criminological theories like classical, positivist, and strain theories provide frameworks to explain crime patterns and design effective interventions. (Siegel, 2020) With the understanding of these theories and their application to the Indian scenario, criminologists can develop context-specific interventions to fight crime and provide justice.

THEORIES OF CRIMINOLOGY:

- Classical Theory

The Classical Theory, advanced by Cesare Beccaria in 1764, assumes that human beings are rational and make decisions based on free will. Based on this theory, crime results from balancing possible gains against possible costs. According to Beccaria, individuals weigh the potential benefits of engaging in a crime and pit them against possible risks and consequences. The main aim of punishment, thus, is deterrence. Beccaria thought that more severe punishment would deter crime and that definite laws and speedy justice are necessary to preserve social order. This theory presumes that humans are self-interested and desire pleasure and that crime is a conscious choice.

- Positivist Theory

The positivist school of thought, developed by Cesare Lombroso in 1876, posits that criminality is the result of biological, psychological, or environmental causes beyond the control of an individual. Lombroso believes that criminals are born and not made, and their behavior is determined by both biological tendencies and environmental influences. The theory seeks to find the causes of crime rather than punishing the criminal. Positivist theorists hold the view that treatment and rehabilitation are necessary to correct the causes of crime. Based on the knowledge of criminality causes, policymakers can create improved prevention and intervention.

- Strain Theory

Robert Merton's Strain Theory, which he suggested in 1938, holds that societal pressures and expectations are the cause of criminal activity. Merton holds that strain results when the goals of society cannot be reached by legitimate means. This can result when individuals fail to become successful or gain status

through accepted channels, thus developing frustration and disillusionment. Merton contended that society establishes goals and expectations but restricts opportunities for their attainment, especially for minority groups. In order to solve strain, policymakers need to concentrate on solving social inequality and offering alternative means of success.

- **Social Learning Theory**

Albert Bandura's social learning theory of 1977 posits that individuals acquire criminality through observation and interaction. Behavior is conditioned by observation, according to him, with the setting being the focal point. Peer influence, social setting, and reward in behavior shaping are highlighted in the social learning theory. Positive reward promotes prosocial behavior, but negative reward deters antisocial behavior.

- **Psychodynamic Theory**

Sigmund Freud's 1923 psychodynamic theory posits that behavior is governed by early life experiences and unconscious motivations. According to him, behavior is influenced by the id, the ego, and the superego, where id is primitive urges, ego is the reality mediator between the id and the real world, and the superego is moral principles. Freud maintained that unconscious forces determine behavior and childhood experiences determine personality. The theory stresses the role of therapy and counseling in resolving issues.

- **Biological Theories**

Biological crime theories assume that genetic, neurochemical, and brain structure variables are important explanations for criminality. Genetic theory assumes that people can inherit aggression or other traits that lead to criminality. Neurochemical theory assumes that neurotransmitter imbalances in serotonin and dopamine affect patterns of behavior. Brain structure theory assumes that abnormalities in brain areas that control impulse and aggression lead to criminality..

- **Psychological Theories**

Personality theory links impulsiveness, aggression, and anti-sociality to criminal risk. Mental illness theory links schizophrenia, bipolar disorder, and depression to crime. Learning disability theory links cognitive impairment such as ADHD to higher crime risk. Learning disability theory predicts that cognitive deficits, such as attention deficit hyperactivity disorder (ADHD), enhance the risk of crime.

- **Sociological Theories**

Sociological criminology focus on the role of social disorganization, learning, and conflict as etiologies of crime. Social disorganization theory argues that poverty and inequality cause crime. Social learning theory believes that environment and peer influence determine behavior. Conflict theory believes that power struggles lead to crime. These theories stress the necessity of tackling social and economic aspects to avoid crime.

FACTORS THAT SHAPES CRIMINAL BEHAVIOR:

- **Biological Factors**

- a. Genetics: Research has indicated that genetics tendencies can affect aggressive behavior, impulsivity, and substances abuse susceptibility. Some genetic markers, including the MAOA gene, are associated with heightened aggression
- b. Neurochemistry: Imbalances in neurotransmitters like:
 - Serotonin: Regulates mood, appetite, and sleep. Low levels have been linked to aggression and impulsivity.
 - Dopamine regulates reward, pleasure, and motivation. Abnormalities can lead to addictive behaviors.
 - Norepinephrine: regulates stress response and arousal. Imbalances can contribute to aggression.
- c. Brain Structure: Abnormalities in regions responsible for:
 - Impulse control: prefrontal cortex damage or underdevelopment.
 - Emotional regulation: Amygdala dysfunction.
 - Decision-making: Orbitofrontal cortex impairments.
- d. Hormonal imbalance or fluctuations in:
 - Testosterone: Linked to aggression, dominance, and competitiveness.

- Cortisol: Regulates stress response. Chronic elevation can contribute to anxiety and aggression.
- **Psychological Factors**
 - a. Personality traits
 - Impulsivity: acting without considering consequences.
 - Aggression: hostility, physical or verbal.
 - Antisocial tendencies: disregard for others' rights and feelings.¹
 - Lack of empathy: difficulty understanding or relating to others' emotions.²
 - b. Mental Health:
 - Schizophrenia: psychotic episodes, disorganized thinking.
 - Bipolar Disorder: mood swings, impulsivity.
 - Depression: hopelessness, despair.
 - Anxiety: excessive worry and fear.
 - c. Childhood Experiences:
 - Trauma: Physical or emotional abuse.
 - Neglect: inadequate care or supervision.
 - Parental influence: authoritarian, neglectful, or inconsistent parenting.
 - d. Learning disabilities:
 - Low IQ: cognitive impairments.
 - ADHD: Attention deficit hyperactivity disorder.
- **Sociological Factors**
 - a. Social Environment:
 - Poverty: limited resources and opportunities.
 - Unemployment: Lack of purpose, financial stability.
 - Social inequality: discrimination, marginalization.
 - b. Family Dynamics:
 - Dysfunctional relationships: conflict, abuse.
 - Parental absence: lack of guidance and supervision.
 - c. Peer influence:
 - Association with criminal peers: Normalization of deviant behavior.
 - Gang involvement: group dynamics, pressure.
 - d. Cultural norms:
 - Societal values: tolerance for violence, and aggression.
 - Media representation: Glorification of crime, violence.
- **Penal Provisions under Indian Law (Bhartiya Nyaya Sanhita (BNS), 2023)**
 - 1. Murder (Section 103(1)): Life imprisonment or death penalty.³
 - 2. Rape (Section 64): Imprisonment (7-14 years) and fine.⁴
 - 3. Homicide (Section 105): Life imprisonment or imprisonment (up to 10 years).⁵
 - 4. Kidnapping (Section 137-140): Imprisonment (up to 10 years) and fine.⁶
 - 5. Theft (Section 303): Imprisonment (up to 3 years) and fine.⁷

¹ *Antisocial Personality Disorder - Symptoms and Causes*, Mayo Clinic, <https://www.mayoclinic.org/diseases-conditions/antisocial-personality-disorder/symptoms-causes/syc-20353928> (last visited Apr. 28, 2025).

² *Who Are Psychopaths?*, Mind Psychiatrist, <https://mindpsychiatrist.com/who-are-psychopaths> (last visited Apr. 28, 2025).

³ Bharatiya Nyaya Sanhita, 2023, § 103(1) (India).

⁴ Bharatiya Nyaya Sanhita, 2023, § 64 (India).

⁵ Bharatiya Nyaya Sanhita, 2023, § 105 (India).

⁶ Bharatiya Nyaya Sanhita, 2023, §§ 137-140 (India).

⁷ Bharatiya Nyaya Sanhita, 2023, § 303 (India).

- Notable Cases:

- a. **Nirbhaya Case (2012):** Case brought out the psychology of rape accused as being based on domination, control, power, and misogyny rather than lust. Dehumanization serves as psychological lubricant that melts inhibition and emboldens offenders. Social context and inability to respond to aberrant behavior are responsible for the same, giving rise to guilt-free offenders.
- b. **Mumbai Terror Attacks (2008):** Demonstrated The terrorists' psychology in the 26/11 Mumbai attacks, as in other terrorist organizations, is intricate and multifaceted, comprising a mix of factors such as perceived injustice, identity and belonging needs, and possibly extremist ideologies, and not just mental illness or psychopath.

Cases of serial killers and other violent criminals in India, including:

- a. **Psycho Shankar:** A notorious serial killer and sexual predator who was responsible for a series of rapes and murders in South India between 2008 and 2011.⁸ He was also referred to as M. Jaishankar and had the nickname "Psycho Shankar.". He was diagnosed as being mentally ill while he was in jail and took his own life in 2018 after a failed attempt to escape.
- b. **Raman Raghav:** Known as the "Jack Ripper of India", he was a serial killer who terrorized Mumbai in the 1960s. He was also known as Sindhi Talwai and is believed to have killed at least 41 people.
- c. **Umesh Reddy:** A cop-turned-serial killer who terrorized Bengaluru in the late 1990s and early 2000s. He was responsible for heinous acts against women.
- d. **Kuldeep:** A man from Bareilly who was arrested in July 2024 for the murders of several women. He was accused of collecting items from the crime scenes as "trophies".

THEORIES OF PUNISHMENT AND THEIR EFFECTS ON CRIMINALS:

- a. **Deterrence Theory:** Harsh punishments discourage individuals from committing crimes, fearing consequences. Effective deterrence relies on swift, certain, and severe penalties.⁹
- b. **Retribution Theory:** Punishment aims to punish offenders for past wrongdoings, providing justice and closure for victims. This approach emphasizes moral accountability.
- c. **Rehabilitation Theory:** Punishment focuses on reforming offenders, and helping them overcome issues leading to criminal behavior. Rehabilitation programs address underlying causes.
- d. **Incapacitation Theory:** Removing offenders from society prevents further harm. Incarceration protects the public, restricting criminal opportunities.
- e. **Restorative Justice Theory:** Punishment involves repairing the harm caused to victims and communities. Offenders take responsibility, making amends through restitution or community service.

EFFECTS ON CRIMINALS

- Severe punishments aim for deterrence by instilling fear and making crime less appealing due to the perceived risk.
- Imprisonment severely restricts freedom, impacting both public and private life.
- Incarceration separates individuals from family, disrupts economic activities and education, and limits access to essential healthcare.
- Imprisonment leads to mental distress, loneliness, and insecurity, complicating reintegration after release.
- Conviction and incarceration carry significant social stigma, resulting in reputational damage, social exclusion, and shame, which negatively affect relationships, employment opportunities, and overall

⁸ S. Jaishankar, Wikipedia, https://en.wikipedia.org/wiki/M._Jaishankar (last visited Apr. 28, 2025).

⁹ *Focused Deterrence: A Policing Strategy to Combat Gun Violence*, Illinois Criminal Justice Information Authority, <https://icjia.illinois.gov/researchhub/articles/focused-deterrence-a-policing-strategy-to-combat-gun-violence> (last visited Apr. 28, 2025).

well-being.

- Inhumane prison conditions, such as violence and overcrowding, worsen mental health issues.
- Limited availability of mental health services within prisons further exacerbates these conditions.
- Imprisonment can also serve as an opportunity for reform and rehabilitation.
- Effective rehabilitation programs address the root causes of crime through education, vocational training, and behavioral improvement.
- Successful rehabilitation can reduce recidivism, improve mental health, and facilitate successful reintegration into the workforce.
- The effect of severe punishment on criminals is complex, involving deterrence and the potential for rehabilitation.
- While punishment and deterrence are vital in the criminal justice system, the importance of rehabilitation should not be overlooked.

CONCLUSION

It comes down to this: truly dealing with crime in India requires that we grasp the complicated combination of factors that push individuals in its direction – their biology, their brains, and the world they live in. Imagine attempting to assemble a puzzle with a plethora of various types of pieces. Our new legislation, the Bharatiya Nyaya Sanhita (BNS) of 2023, is attempting to tread a considered road. It's not all about punishing individuals; it also seeks to assist them in healing and making restitution, and in repairing the damage caused. In order to really make a difference, we must reach the root of why crime occurs in the first place – such as poverty, inequality, and lack of education. Picture how one's life could be with a good chance. That's why initiatives that assist individuals in turning their lives around, initiatives to repair relationships damaged by crime, and engaging communities are so important. They're about providing people with a genuine chance at a new beginning. Looking forward, it's obvious we require professionals from various sectors to collaborate, to really grasp the cultural environment of crime in India, and to utilize technology in a proper manner. It is not only a task for the police and courts; it's something that we all – policymakers, practitioners on the ground, and citizens at large – need to be involved in to create a society that is safer and more just for all. Finally, when we attempt to figure out what may be happening in the mind of a person who commits a crime, it can lead to empathy, healing, and assisting them in rebuilding their lives. By looking at the individual behind the crime, we truly have the opportunity to end the cycle of crime and build positive change. India's path towards a more equitable society is premised on embracing evidence-backed solutions, solutions centered on enabling individuals to rebuild their lives, and solutions that unite communities. These are the steps we can take to decrease reoffending, improve our social fabric, and create a better future where everybody has an equal opportunity to thrive. This balanced effort is central to developing a criminal justice system within India that isn't just practical but also human and durable, balancing the utility of accountability and the strength of rehabilitation and healing.