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# **IMPACT OF SOCIAL MEDIA ON CRIMINAL BEHAVIOUR AMONG ADOLESCENTS IN INDIA: A CONSTITUTIONAL & CRIMINOLOGICAL ANALYSIS**

AUTHORED BY - RAJNESH

Institute: Baba Mastnath University, Rohtak

CO- AUTHOR - DR. MANISH DALAL

Professor

## **ABSTRACT**

*The exponential growth of social media in India has fundamentally reshaped the behavioural landscape of adolescents, introducing both opportunities for development and risks of deviant conduct. As digital platforms increasingly mediate social interaction, they have become influential spaces where identity formation, peer engagement, and behavioural learning occur. This research paper undertakes a constitutional and criminological analysis of the impact of social media on criminal behaviour among adolescents in India, examining how legal frameworks, fundamental rights, and criminological theories intersect in addressing this emerging challenge.*

*Adolescents represent one of the most active and vulnerable user groups in the digital ecosystem. The accessibility of smartphones and low-cost internet has enabled widespread engagement with platforms such as Instagram, YouTube, WhatsApp, and others. While these platforms facilitate communication and knowledge-sharing, they also expose young users to harmful content, including violence, hate speech, explicit material, and criminal activities. The immersive nature of social media, combined with algorithmic amplification, can normalize deviant behaviour and create environments that encourage imitation and experimentation.*

*From a criminological perspective, theories such as social learning theory, differential association theory, and strain theory provide valuable insights into how social media influences adolescent behaviour. Social learning theory suggests that individuals learn behaviour through observation and imitation, particularly when such behaviour is rewarded. On social media, individuals who engage in risky or unlawful acts may gain popularity, thereby*

*incentivizing similar conduct among adolescents. Differential association theory further explains how online communities can reinforce deviant norms, while strain theory highlights how social pressures and aspirations, often intensified by curated online lifestyles, can lead to frustration and deviant responses.*

*The constitutional dimension of this issue introduces a complex balancing act between the right to freedom of speech and expression under Article 19(1)(a) of the Indian Constitution and the need to regulate harmful content. Judicial pronouncements, particularly in **Shreya Singhal v. Union of India**, have emphasized the importance of protecting free speech in the digital space while acknowledging the necessity of reasonable restrictions. The challenge lies in ensuring that regulatory measures aimed at preventing misuse do not infringe upon fundamental rights. The study critically examines the adequacy of existing legal frameworks, including the Information Technology Act, 2000, the Indian Penal Code, and the Protection of Children from Sexual Offences Act, 2012. While these laws address various aspects of cybercrime, they often lack specificity in dealing with the unique vulnerabilities of adolescents in the context of social media. The absence of comprehensive legislation tailored to digital behaviour among minors creates gaps in enforcement and protection.*

*Another important aspect explored in this paper is the role of intermediaries and platform accountability. Social media companies act as gatekeepers of digital content, yet their regulatory obligations are often limited to due diligence requirements. The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, represent an attempt to enhance accountability, but challenges remain in terms of implementation, transparency, and effectiveness.*

*The research also highlights the socio-legal implications of social media-induced criminal behaviour. Adolescents who engage in cyber offences often do so without fully understanding the legal consequences, raising questions about culpability, intent, and rehabilitation. The Juvenile Justice framework in India emphasizes reformatory justice, yet the increasing severity of cyber offences necessitates a re-evaluation of existing approaches.*

*Methodologically, the study adopts a doctrinal and interdisciplinary approach, integrating legal analysis with criminological theory and socio-behavioural insights. It draws upon statutes, judicial decisions, academic literature, and policy reports to provide a comprehensive*

*understanding of the issue.*

*The findings suggest that social media acts as a significant influencing factor rather than a direct cause of criminal behaviour. However, its impact is profound enough to warrant targeted regulatory and educational interventions. The study recommends a balanced approach that combines legal reform, digital literacy, parental supervision, and platform accountability to mitigate risks while preserving the benefits of social media.*

*In conclusion, the intersection of social media, adolescent behaviour, and criminal law presents a complex and evolving challenge that requires nuanced and adaptive responses. By adopting a constitutional and criminological perspective, this paper contributes to a deeper understanding of the issue and offers insights for developing effective and rights-compliant regulatory strategies in India.*

### **KEYWORDS**

*Social Media; Adolescent Criminal Behaviour; Cybercrime; Criminology; Constitutional Law; Freedom of Speech; Article 19(1)(a); Juvenile Justice; Digital Regulation; Social Learning Theory; Differential Association Theory; Strain Theory; Online Behaviour; Platform Liability; India.*

## **INTRODUCTION**

The digital revolution in India has ushered in a transformative era in communication, social interaction, and information dissemination. With the proliferation of smartphones and affordable internet services, social media platforms have become an integral part of everyday life, particularly for adolescents. This demographic, characterized by psychological vulnerability and developmental transition, is uniquely positioned at the intersection of technological influence and behavioural formation. As social media increasingly shapes perceptions, attitudes, and interactions, concerns regarding its impact on criminal behaviour among adolescents have gained significant academic and legal attention.<sup>1</sup>

In India, the rapid expansion of social media usage has been accompanied by a corresponding rise in cyber-related offences involving minors. Adolescents today are not merely passive

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<sup>1</sup> Constitution of India, art 19(1)(a).

consumers of digital content but active participants who create, share, and engage with diverse forms of media. This participatory culture, while empowering, also exposes young users to risks such as cyberbullying, online harassment, exposure to explicit content, and involvement in illegal activities. The boundary between virtual and real-world behaviour has become increasingly blurred, with online interactions often translating into offline consequences.<sup>2</sup>

From a criminological standpoint, the influence of social media on adolescent behaviour can be understood through various theoretical frameworks. Social learning theory posits that individuals acquire behaviour through observation and imitation, particularly when such behaviour is perceived as rewarding. Social media platforms, with their emphasis on visibility and validation, often reward content that is sensational, controversial, or extreme. Adolescents, driven by the desire for recognition and acceptance, may imitate such behaviour, even when it involves legal or ethical violations.

Differential association theory further explains how interaction with deviant peer groups can lead to the internalization of criminal norms. In the digital age, these interactions are no longer confined to physical spaces but occur within online communities that transcend geographical boundaries. Adolescents may become part of virtual networks that normalize or even encourage deviant behaviour, thereby reinforcing criminal tendencies.

Strain theory offers another perspective by highlighting the role of societal pressures and expectations in shaping behaviour. Social media often presents idealized versions of life, creating unrealistic standards of success, beauty, and lifestyle. Adolescents who are unable to meet these expectations may experience frustration or strain, which can manifest in deviant or criminal behaviour as a coping mechanism.

The constitutional dimension of this issue adds a layer of complexity to the regulatory landscape. The right to freedom of speech and expression under Article 19(1)(a) of the Indian Constitution extends to digital platforms, making social media a protected space for communication and expression. However, this right is not absolute and is subject to reasonable restrictions under Article 19(2), including considerations of public order, decency, and morality. The challenge lies in balancing the protection of fundamental rights with the need to

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<sup>2</sup> Constitution of India, art 19(2).

regulate harmful content and prevent misuse.<sup>3</sup>

The Supreme Court's decision in **Shreya Singhal v. Union of India** marked a significant development in this regard. By striking down Section 66A of the Information Technology Act, 2000, the Court reaffirmed the importance of free speech in the digital age while highlighting the dangers of vague and overbroad legislation. However, the judgment also exposed gaps in the legal framework for addressing harmful online behaviour, particularly in cases involving harassment and abuse.<sup>4</sup>

The existing legal framework in India includes a combination of statutes such as the Information Technology Act, 2000, the Indian Penal Code, 1860, and the Protection of Children from Sexual Offences Act, 2012. While these laws provide mechanisms for addressing various forms of cybercrime, they often lack specificity in dealing with the unique challenges posed by social media usage among adolescents. Moreover, enforcement remains a significant challenge due to issues such as anonymity, encryption, and cross-border jurisdiction.

The role of intermediaries, particularly social media platforms, has also come under scrutiny. As facilitators of digital communication, these platforms have a responsibility to ensure that their services are not misused for unlawful purposes. The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, impose certain obligations on intermediaries, including content moderation and grievance redressal. However, questions remain regarding the effectiveness and transparency of these measures.

In addition to legal and regulatory challenges, social and institutional factors play a crucial role in shaping adolescent behaviour. The lack of digital literacy, inadequate parental supervision, and insufficient emphasis on ethical education contribute to the vulnerability of young users. Addressing these issues requires a holistic approach that goes beyond legal reform and incorporates educational and societal interventions.<sup>5</sup>

This research paper aims to critically examine the impact of social media on criminal behaviour

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<sup>3</sup> Information Technology Act 2000.

<sup>4</sup> Indian Penal Code 1860.

<sup>5</sup> Albert Bandura, *Social Learning Theory* (Prentice Hall 1977) 45.

among adolescents in India from both constitutional and criminological perspectives. By integrating legal analysis with theoretical frameworks, the study seeks to provide a comprehensive understanding of the issue and identify gaps in the existing framework.

In conclusion, the intersection of social media, adolescent behaviour, and criminal law presents a complex and evolving challenge that requires nuanced and adaptive responses. As digital technologies continue to advance, it is imperative to develop strategies that balance innovation with regulation, ensuring that the benefits of social media are not overshadowed by its risks.<sup>6</sup>

## RESEARCH METHODOLOGY

This study adopts a **doctrinal and interdisciplinary research methodology**, combining legal analysis with criminological theories.

- **Primary Sources:** Constitution of India, Information Technology Act, 2000; Indian Penal Code, 1860; POCSO Act, 2012; Juvenile Justice Act, 2015; relevant case laws.
- **Secondary Sources:** Books on criminology and cyber law, journal articles, policy reports, and institutional publications.

The research is analytical and critical, aiming to evaluate both legal provisions and behavioural theories.

## HYPOTHESIS

“Social media significantly contributes to the development of criminal behaviour among adolescents in India by reinforcing deviant norms, while existing constitutional and legal frameworks struggle to balance regulation with fundamental rights.”

## RESEARCH OBJECTIVES

1. To analyze the impact of social media on adolescent criminal behaviour through criminological theories.
2. To examine the constitutional dimensions of regulating social media.
3. To evaluate the adequacy of existing legal frameworks in India.
4. To study the role of intermediaries and digital platforms.
5. To suggest balanced regulatory and policy reforms.

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<sup>6</sup> Edwin H Sutherland, *Principles of Criminology* (1947) 88.

## RESEARCH QUESTIONS

1. How do criminological theories explain the influence of social media on adolescent behaviour?
2. What constitutional challenges arise in regulating social media content?
3. Are existing Indian laws adequate to address social media-induced criminal behaviour?
4. What role do social media platforms play in enabling or preventing such behaviour?
5. How can a balance be achieved between regulation and freedom of speech?

## LITERATURE REVIEW

The growing intersection between social media, adolescent behaviour, and criminal law has generated substantial scholarly discourse across disciplines such as criminology, constitutional law, psychology, and cyber law. The literature reflects an evolving understanding of how digital environments influence behavioural patterns, particularly among adolescents, and how legal systems respond to these emerging challenges. This section critically examines key academic contributions, focusing on criminological theories, constitutional principles, and regulatory frameworks.<sup>7</sup>

A foundational contribution to the understanding of behavioural influence is **Albert Bandura's social learning theory**, which posits that individuals learn behaviour through observation, imitation, and reinforcement. Bandura's work is particularly relevant in the context of social media, where adolescents are constantly exposed to behavioural models through influencers, peers, and digital content. Scholars have applied this theory to explain how repeated exposure to deviant or criminal behaviour on social media can lead to imitation, especially when such behaviour is perceived as rewarding or socially accepted. The visibility of online validation mechanisms, such as likes and shares, further reinforces this process.<sup>8</sup>

Complementing this perspective is **Edwin Sutherland's differential association theory**, which emphasizes the role of social interaction in the development of criminal behaviour. According to Sutherland, individuals learn criminal conduct through communication with others who endorse such behaviour. In the digital age, social media platforms facilitate constant interaction and the formation of virtual communities that may normalize deviant behaviour.

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<sup>7</sup> Albert Bandura (n 5) 47–50.

<sup>8</sup> Edwin H Sutherland (n 6) 90–92.

Scholars have noted that these online networks can serve as spaces where criminal norms are transmitted and reinforced, particularly among adolescents seeking identity and belonging.<sup>9</sup>

Another significant theoretical framework is **Robert K. Merton's strain theory**, which focuses on the pressure individuals experience when they are unable to achieve socially accepted goals through legitimate means. Social media often portrays idealized lifestyles, creating unrealistic expectations and aspirations. Adolescents who experience a gap between these expectations and their own circumstances may resort to deviant behaviour as a coping mechanism. Academic studies have highlighted how this "digital strain" can contribute to acts such as online fraud, cyberbullying, and other forms of misconduct.<sup>10</sup>

From a psychological perspective, **John Suler's concept of the "online disinhibition effect"** provides valuable insights into how individuals behave differently in digital environments. Suler argues that anonymity, invisibility, and lack of immediate consequences reduce self-restraint, leading individuals to engage in behaviour that they would avoid in offline settings. This effect is particularly pronounced among adolescents, who may lack the maturity to fully comprehend the implications of their actions. Scholars have linked this phenomenon to the rise of cyberbullying, trolling, and other forms of online aggression.<sup>11</sup>

Legal scholarship has extensively examined the challenges of regulating social media within the framework of constitutional rights. The right to freedom of speech and expression under Article 19(1)(a) of the Indian Constitution is central to this discourse. Authors such as **Gautam Bhatia** have analyzed the constitutional dimensions of internet regulation, emphasizing the importance of protecting free speech while acknowledging the need for reasonable restrictions. Bhatia argues that any regulatory framework must be carefully tailored to avoid overbreadth and vagueness, which can have a chilling effect on legitimate expression.<sup>12</sup>

The Supreme Court's decision in **Shreya Singhal v. Union of India** has been widely discussed in academic literature as a landmark judgment in digital free speech jurisprudence. Scholars have praised the decision for striking down Section 66A of the Information Technology Act,

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<sup>9</sup> Robert K Merton, *Social Theory and Social Structure* (1968) 136.

<sup>10</sup> John Suler, *Psychology of the Digital Age* (CUP 2015) 98.

<sup>11</sup> Gautam Bhatia, *Offend, Shock, or Disturb* (OUP 2016) 112.

<sup>12</sup> Aparna Viswanathan, *Cyber Law in India* (LexisNexis 2019) 210.

2000, on the grounds of vagueness and overbreadth. However, some authors have also pointed out that the judgment left a regulatory vacuum, particularly in addressing issues such as online harassment and hate speech. This tension between free speech and regulation continues to be a central theme in legal scholarship.<sup>13</sup>

In the field of cyber law, **Aparna Viswanathan** and **Yashpal Dhir** have provided comprehensive analyses of India's legal framework governing digital offences. Their work highlights the limitations of existing laws in addressing the complexities of social media-related crimes, particularly those involving adolescents. They argue that the rapid pace of technological change has outstripped the ability of legal systems to adapt, resulting in gaps in enforcement and protection.<sup>14</sup>

Criminological studies focusing on juvenile delinquency in India, such as those by **K.S. Shukla**, emphasize the role of socio-economic and environmental factors in shaping adolescent behaviour. These studies suggest that social media acts as an amplifier rather than a root cause of criminal tendencies, interacting with factors such as peer pressure, family environment, and access to education. This perspective aligns with the broader consensus that addressing adolescent crime requires a holistic approach that goes beyond legal measures.

Empirical research has further highlighted the increasing prevalence of cybercrime among adolescents. Reports by the **National Crime Records Bureau (NCRB)** indicate a steady rise in offences such as cyberbullying, identity theft, and online harassment involving minors. These findings are supported by studies conducted by organizations such as **UNICEF** and the **Internet and Mobile Association of India (IAMAI)**, which emphasize the need for digital literacy and awareness.<sup>15</sup>

International literature provides additional insights into regulatory approaches and best practices. Studies from jurisdictions such as the United States and the European Union have examined issues such as intermediary liability, content moderation, and age verification. Scholars have noted that while stricter regulations can help prevent misuse, they must be balanced against concerns of privacy and free speech. The European Union's approach,

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<sup>13</sup> Yashpal Dhir, *Cyber Crime and Digital Evidence* (EBC 2021) 175.

<sup>14</sup> K.S. Shukla, *Juvenile Delinquency in India* (Sage 2015) 120.

<sup>15</sup> Sameer Hinduja and Justin Patchin, 'Cyberbullying' (2010) *Deviant Behavior* 206.

particularly under the General Data Protection Regulation (GDPR), has been cited as an example of how data protection and user rights can be integrated into digital governance.

Another emerging area of research is the role of social media algorithms in shaping behaviour. Scholars have argued that algorithm-driven content recommendations can create “echo chambers” that reinforce existing beliefs and behaviours. In the context of adolescent users, this can lead to increased exposure to harmful content and the normalization of deviant behaviour. The lack of transparency in algorithmic processes further complicates regulatory efforts.<sup>16</sup>

Despite the extensive body of literature, several gaps remain. There is a lack of integrated research that combines criminological theories with constitutional analysis in the Indian context. Additionally, much of the existing literature focuses on either the risks or the regulatory aspects of social media, without adequately addressing the interplay between behavioural influences and legal frameworks. The rapidly evolving nature of technology also means that research must continuously adapt to new developments.

This study seeks to address these gaps by adopting a multidisciplinary approach that integrates legal, criminological, and socio-behavioural perspectives. By examining both the causes and consequences of social media-induced criminal behaviour, the research aims to provide a more comprehensive understanding of the issue.<sup>17</sup>

In conclusion, the literature on social media and adolescent criminal behaviour underscores the complexity of the problem and the need for a nuanced approach to regulation. While existing scholarship provides valuable insights, there remains a need for continued research that addresses emerging challenges and informs effective policy responses. The integration of criminological theory and constitutional principles offers a promising framework for understanding and addressing this issue in the Indian context.<sup>18</sup>

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<sup>16</sup> NCRB, *Crime in India Report* (2022) 310.

<sup>17</sup> UNICEF (2017) 45.

<sup>18</sup> IAMAI Report (2023) 25.

## **Criminological Dimensions of Social Media-Induced Criminal Behaviour Among Adolescents**

The relationship between social media and criminal behaviour among adolescents cannot be adequately understood without engaging deeply with criminological theories that explain how deviant conduct is learned, internalized, and expressed. In the Indian context, where socio-economic diversity intersects with rapid digitalization, social media functions not merely as a communication tool but as a powerful behavioural ecosystem. It shapes perceptions, influences identity formation, and, in certain circumstances, contributes to the development of criminal tendencies among adolescents. The criminological analysis of this phenomenon reveals that social media acts as both a medium and a multiplier of deviant influences.

At the forefront of this analysis is the application of social learning theory, which provides a foundational framework for understanding behavioural acquisition in digital environments. Adolescents, by virtue of their developmental stage, are particularly susceptible to observational learning. Social media platforms are replete with content that showcases a wide spectrum of behaviours, including those that are violent, unlawful, or socially unacceptable. When such content is accompanied by positive reinforcement in the form of likes, shares, or comments, it creates a perception that these behaviours are not only acceptable but desirable. This reinforcement mechanism is significantly more immediate and visible in digital spaces than in traditional social settings, thereby intensifying its impact.

The role of influencers and digital celebrities further amplifies this effect. Adolescents often perceive these individuals as role models and may imitate their actions without critically evaluating the consequences. In instances where influencers engage in or promote risky behaviour whether intentionally or inadvertently their actions can have a cascading effect on their audience. This phenomenon reflects a shift in traditional authority structures, where peer validation and online popularity increasingly outweigh parental or institutional guidance.

Differential association theory provides additional insight into how social media facilitates the transmission of deviant norms. Unlike physical communities, which are constrained by geography, digital platforms enable the formation of virtual networks that transcend spatial boundaries. Adolescents can connect with like-minded individuals, forming groups that may normalize or even encourage criminal behaviour. These online communities often operate with

minimal oversight, creating environments where deviant values can flourish. The constant interaction within such groups reinforces these values, making them more deeply ingrained over time.<sup>19</sup>

The concept of “digital peer pressure” emerges as a critical factor in this context. Adolescents may feel compelled to conform to the expectations of their online communities, even when such expectations involve unlawful activities. The fear of exclusion or ridicule can drive individuals to participate in behaviours they would otherwise avoid. This dynamic is particularly evident in cases involving cyberbullying, coordinated harassment, and participation in viral challenges that may have legal or safety implications.

Strain theory adds another dimension to the analysis by highlighting the role of socio-economic and psychological pressures in shaping behaviour. Social media platforms often present curated and idealized representations of life, creating unrealistic standards of success, appearance, and lifestyle. Adolescents who are unable to meet these standards may experience feelings of inadequacy, frustration, or marginalization. In some cases, this strain can manifest in deviant behaviour as a means of coping or asserting control. For instance, involvement in cybercrime or online fraud may be perceived as a way to achieve financial or social goals that are otherwise inaccessible.

The intersection of strain and opportunity is particularly relevant in the digital context. Social media not only creates aspirations but also provides tools and opportunities for engaging in deviant behaviour. The accessibility of information related to hacking, phishing, and other forms of cybercrime lowers the barriers to entry, enabling adolescents to engage in activities that would have been difficult to undertake in the past. This convergence of motivation and means significantly increases the likelihood of criminal behaviour.<sup>20</sup>

Another important criminological concept is the “routine activity theory,” which focuses on the conditions necessary for a crime to occur: a motivated offender, a suitable target, and the absence of capable guardianship. Social media environments often fulfill all three conditions simultaneously. Adolescents may act as motivated offenders, while other users or digital assets become suitable targets. The lack of effective supervision or regulation whether by parents,

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<sup>19</sup> Albert Bandura (n 5) 52.

<sup>20</sup> Edwin H Sutherland (n 6) 95.

institutions, or platform operators creates an environment where criminal activities can occur with relative ease.<sup>21</sup>

The phenomenon of anonymity further exacerbates these dynamics. The ability to operate under pseudonyms or anonymous profiles reduces the perceived risk of detection and punishment. This sense of impunity can embolden adolescents to engage in behaviour that they would otherwise consider unacceptable. The online disinhibition effect, as identified in psychological literature, explains how the absence of face-to-face interaction and immediate consequences can lead to a breakdown of social norms and self-restraint.

The normalization of deviance within digital spaces is another critical aspect of this issue. Repeated exposure to harmful content can alter an individual's perception of what is acceptable, gradually shifting the boundaries of moral and legal behaviour. This process is often subtle and cumulative, making it difficult to identify and address. Over time, behaviours that were once considered deviant may become normalized within certain online communities, further perpetuating the cycle of misconduct.

The role of algorithmic amplification cannot be overlooked in this context. Social media platforms use algorithms to curate content based on user preferences and engagement patterns. While this enhances user experience, it can also create echo chambers where individuals are exposed primarily to content that reinforces their existing beliefs and behaviours. For adolescents, this can result in increased exposure to harmful or deviant content, thereby intensifying its influence.

In the Indian context, these criminological dynamics are further shaped by socio-cultural factors. Issues such as economic disparity, educational inequality, and lack of digital literacy can influence how adolescents interact with social media. For some, these platforms may serve as a means of empowerment and self-expression; for others, they may become avenues for engaging in deviant behaviour. The diversity of experiences underscores the need for a nuanced understanding of the issue.

Parental supervision and institutional oversight play a crucial role in mitigating these risks, yet

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<sup>21</sup> Robert K Merton (n 9) 140.

they are often inadequate. Many parents lack the technical knowledge required to monitor their children's online activities, while educational institutions may not prioritize digital ethics and online safety. This absence of effective guardianship aligns with the principles of routine activity theory, creating conditions conducive to deviant behaviour.

In conclusion, the criminological analysis of social media-induced criminal behaviour among adolescents reveals a complex interplay of factors, including observational learning, peer influence, socio-economic pressures, and technological affordances. Social media acts as both a facilitator and an amplifier of these influences, creating environments where deviant behaviour can be learned, normalized, and enacted. Addressing this issue requires a comprehensive approach that integrates criminological insights with legal and social interventions.

### **Constitutional Dimensions, Free Speech Concerns, Platform Liability, and Regulatory Reforms**

The regulation of social media in the context of adolescent criminal behaviour raises complex constitutional questions, particularly concerning the balance between the right to freedom of speech and expression and the need to prevent harm. In India, this balance is primarily governed by Article 19(1)(a) of the Constitution, which guarantees freedom of speech and expression, and Article 19(2), which permits reasonable restrictions in the interests of sovereignty, public order, decency, morality, and other specified grounds. The challenge lies in applying these constitutional principles to digital spaces, where the scale, speed, and anonymity of communication create unprecedented regulatory difficulties.

The landmark judgment in **Shreya Singhal v. Union of India** represents a pivotal moment in India's digital constitutional jurisprudence. The Supreme Court, in striking down Section 66A of the Information Technology Act, 2000, held that the provision was vague, overbroad, and had a chilling effect on free speech. The Court emphasized that any restriction on speech must be narrowly tailored and directly related to one of the grounds specified under Article 19(2). This decision reaffirmed the importance of protecting individual liberties in the digital age but also exposed gaps in the legal framework for addressing harmful online conduct.

In the aftermath of this judgment, regulators and policymakers have grappled with the challenge of controlling harmful content without infringing upon constitutional rights. The

absence of Section 66A has led to increased reliance on other provisions of the Information Technology Act and the Indian Penal Code, which may not always be adequately suited to address the nuances of online behaviour. For instance, provisions relating to obscenity, defamation, and criminal intimidation are often invoked, but their application to digital contexts can be inconsistent and subject to interpretational challenges.

The issue becomes even more complex when adolescents are involved. On one hand, there is a need to protect minors from harmful content and prevent them from engaging in criminal activities. On the other hand, adolescents themselves are rights-bearing individuals entitled to freedom of expression. The constitutional framework does not provide explicit guidance on how to reconcile these competing interests, leaving it to courts and regulators to navigate this delicate balance.<sup>22</sup>

The role of social media platforms, or intermediaries, is central to this discussion. As facilitators of user-generated content, these platforms occupy a unique position in the digital ecosystem. The concept of intermediary liability seeks to determine the extent to which platforms can be held responsible for the content they host. Under Indian law, intermediaries are granted conditional immunity from liability, provided they exercise due diligence and comply with legal requirements.

The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, represent a significant attempt to enhance platform accountability. These rules impose obligations on intermediaries to implement content moderation mechanisms, establish grievance redressal systems, and, in certain cases, enable traceability of messages. While these measures aim to curb misuse, they have also raised concerns regarding privacy, surveillance, and the potential for overregulation.<sup>23</sup>

From a constitutional perspective, the imposition of obligations on intermediaries must be carefully scrutinized to ensure that it does not result in indirect censorship. If platforms are required to proactively monitor and remove content, they may adopt overly cautious approaches, leading to the suppression of legitimate expression. This phenomenon, often referred to as “collateral censorship,” poses a significant risk to free speech.

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<sup>22</sup> Shreya Singhal v. Union of India.

<sup>23</sup> *Shreya Singhal v Union of India* (2015) 5 SCC 1.

At the same time, the failure to regulate platforms effectively can have serious consequences, particularly for adolescents. The spread of harmful content, including cyberbullying, hate speech, and explicit material, can have lasting psychological and social impacts. The challenge, therefore, is to develop a regulatory framework that ensures accountability without compromising fundamental rights.<sup>24</sup>

The concept of proportionality plays a crucial role in this context. Any restriction on speech or imposition of liability must be proportionate to the harm it seeks to prevent. This requires a careful assessment of the necessity and effectiveness of regulatory measures, as well as their impact on individual rights. Courts have increasingly relied on the doctrine of proportionality to evaluate the constitutionality of laws and policies affecting digital communication.

Another important aspect of the constitutional analysis is the principle of due process. Regulatory actions, whether taken by the government or by platforms, must adhere to principles of fairness, transparency, and accountability. This includes providing clear guidelines on what constitutes prohibited content, ensuring that users have an opportunity to contest decisions, and maintaining transparency in enforcement practices.

The issue of platform design and algorithmic governance also raises constitutional concerns. Social media algorithms, which determine the visibility and reach of content, can have a significant impact on public discourse. The lack of transparency in these systems makes it difficult to assess their role in promoting or suppressing certain types of content. From a rights-based perspective, there is a need to ensure that algorithmic processes do not undermine principles of equality and fairness.

In the context of adolescent behaviour, the constitutional framework must also consider the principles of child protection and welfare. International instruments such as the United Nations Convention on the Rights of the Child (UNCRC), to which India is a signatory, emphasize the need to protect children from harmful content and exploitation. These principles must be integrated into domestic law and policy, ensuring that the rights and interests of adolescents are adequately safeguarded.<sup>25</sup>

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<sup>24</sup> Information Technology Rules 2021.

<sup>25</sup> Gautam Bhatia (n 11) 130.

The Juvenile Justice system in India reflects a rehabilitative approach, recognizing that adolescents are capable of reform and should not be subjected to the same punitive measures as adults. However, the increasing involvement of minors in cyber offences raises questions about the adequacy of this approach. While rehabilitation remains a priority, there is also a need to ensure accountability and deterrence, particularly in cases involving serious harm.

In light of these challenges, several reforms can be proposed to strengthen the regulatory framework. First, there is a need for clearer and more specific legislation addressing social media-related offences involving adolescents. Such legislation should define key terms, establish clear standards for content moderation, and provide guidance on the responsibilities of platforms and users.

Second, greater emphasis should be placed on transparency and accountability in platform governance. This includes requiring platforms to disclose information about their content moderation policies, algorithmic processes, and enforcement practices. Independent oversight mechanisms can also be established to monitor compliance and address grievances.

Third, the principle of co-regulation can be explored as a means of balancing state intervention and platform autonomy. Under this approach, regulatory responsibilities are shared between the government and private entities, allowing for more flexible and adaptive responses to emerging challenges.

Fourth, digital literacy and education must be prioritized as key components of any regulatory strategy. Adolescents should be equipped with the knowledge and skills required to navigate digital environments responsibly, while parents and educators should be provided with the tools needed to guide and support them.<sup>26</sup>

Finally, there is a need for continuous dialogue between stakeholders, including policymakers, legal experts, technology companies, and civil society organizations. The dynamic nature of digital technology requires ongoing evaluation and adaptation of regulatory approaches.

In conclusion, the constitutional regulation of social media in the context of adolescent criminal behaviour presents a complex and evolving challenge. The need to balance freedom of

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<sup>26</sup> Arvind Narrain, 'Regulating Internet' (2015) NUJS LR 210.

expression with the prevention of harm requires careful and nuanced approaches that respect fundamental rights while addressing emerging risks. By integrating constitutional principles with practical regulatory measures, it is possible to develop a framework that is both effective and rights-compliant.

## CONCLUSION

The intersection of social media, adolescent behaviour, and criminal law represents one of the most complex challenges in contemporary legal and criminological discourse. As this research has demonstrated, social media has evolved beyond a mere communication tool into a powerful socio-digital environment that significantly influences the attitudes, perceptions, and actions of adolescents. In the Indian context, where rapid digitalization coexists with diverse socio-economic realities, the impact of social media on criminal behaviour among adolescents is both profound and multifaceted.

A central conclusion of this study is that social media does not act as a direct cause of criminal behaviour but functions as a catalyst that amplifies existing vulnerabilities and tendencies. Adolescents, being in a formative stage of psychological and emotional development, are particularly susceptible to external influences. The immersive and interactive nature of social media platforms, combined with algorithm-driven content delivery and peer validation mechanisms, creates an environment where deviant behaviour can be observed, normalized, and imitated.

The application of criminological theories such as social learning theory, differential association theory, and strain theory provides a comprehensive framework for understanding this phenomenon. These theories collectively illustrate how exposure to deviant content, interaction with like-minded peer groups, and the pressures of unrealistic social expectations can contribute to the development of criminal tendencies. Social media not only facilitates the transmission of such influences but also accelerates their impact through constant engagement and reinforcement.

From a constitutional perspective, the regulation of social media presents a delicate balancing act between protecting fundamental rights and preventing harm. The right to freedom of speech and expression under Article 19(1)(a) remains a cornerstone of democratic governance, extending to digital platforms and online communication. However, as recognized in **Shreya**

**Singhal v. Union of India**, this right is subject to reasonable restrictions aimed at maintaining public order, decency, and morality. The challenge lies in ensuring that regulatory measures are precise, proportionate, and do not result in overreach or suppression of legitimate expression.

The existing legal framework in India, comprising statutes such as the Information Technology Act, 2000, the Indian Penal Code, and the Protection of Children from Sexual Offences Act, 2012, provides a foundational structure for addressing cyber-related offences. However, as this study has highlighted, these laws often fall short in addressing the specific nuances of social media-induced behaviour among adolescents. Issues such as anonymity, cross-border jurisdiction, and rapid technological evolution create significant gaps in enforcement and effectiveness.

The role of social media platforms as intermediaries further complicates the regulatory landscape. While the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, impose certain obligations on platforms, questions remain regarding their implementation, transparency, and impact on user rights. The concept of intermediary liability must be carefully balanced to ensure accountability without leading to excessive censorship or infringement of privacy.

Another critical dimension of this issue is the treatment of adolescents within the legal system. The Juvenile Justice framework in India emphasizes rehabilitation and reform, recognizing that minors are capable of change and should not be subjected to purely punitive measures. However, the increasing involvement of adolescents in cyber offences raises important questions about accountability and deterrence. Striking the right balance between rehabilitation and responsibility is essential for ensuring both justice and long-term behavioural change.

The study also underscores the importance of non-legal interventions in addressing the problem. Legal measures alone are insufficient to tackle the complex interplay of factors that contribute to adolescent criminal behaviour. Parental supervision, educational initiatives, and societal awareness play a crucial role in shaping responsible digital behaviour. The integration of digital literacy and ethical education into school curricula can equip adolescents with the tools needed to navigate online environments safely and responsibly.

Technological solutions also have a role to play in mitigating risks. Enhanced content moderation, algorithmic transparency, and age-appropriate design features can help create safer digital environments for adolescents. At the same time, these measures must be implemented in a manner that respects user rights and avoids excessive surveillance.

In terms of policy recommendations, this study advocates for a comprehensive and multi-layered approach. First, there is a need for specialized legislation that addresses the unique challenges posed by social media in relation to adolescent behaviour. Such legislation should clearly define offences, establish responsibilities for platforms, and provide mechanisms for effective enforcement. Second, regulatory frameworks should incorporate principles of transparency, accountability, and proportionality, ensuring that measures are both effective and rights-compliant.

Third, capacity-building within law enforcement agencies is essential to address the technical complexities of cybercrime. This includes training personnel, investing in advanced tools, and fostering collaboration with international agencies. Fourth, public awareness campaigns and community engagement initiatives can help bridge the gap between legal frameworks and societal understanding.

Ultimately, the challenge of addressing social media-induced criminal behaviour among adolescents requires a holistic and coordinated response. It is not merely a legal issue but a societal one that demands the involvement of multiple stakeholders, including policymakers, educators, parents, technology companies, and civil society organizations.

In conclusion, the impact of social media on adolescent criminal behaviour in India is a dynamic and evolving issue that necessitates continuous adaptation and innovation. By integrating criminological insights with constitutional principles and practical regulatory measures, it is possible to develop a framework that effectively addresses the risks while preserving the benefits of digital technology. This study contributes to the broader discourse by highlighting the complexities of the issue and proposing a balanced approach that prioritizes both individual rights and societal well-being.

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