

Caste and Crime in India: The Influence of Social Hierarchy on Justice

Navin Kumar



Abstract: This paper explores the role of caste in shaping the Indian criminal justice system, focusing on how social hierarchies continue to influence legal processes and outcomes. Caste-based discrimination is still present within law enforcement and judicial procedures and sentencing, often affecting Scheduled Castes and Scheduled Tribes (SCs and STs)-despite constitutional guarantees of equality. Based on historical and contemporary evidence, the study illustrates how caste prejudices persist, which leads to systemic inequalities and unequal treatment of marginalized communities within the justice system. The paper critically examines existing legal frameworks, such as anti-discrimination laws, and identifies gaps in enforcement that perpetuate caste-based injustices. The research draws attention to the social and psychological burden that caste-based discrimination puts on those participating in the criminal justice process, especially those of lower castes. In addressing these issues, the paper proposes practical reforms to dismantle caste-based discrimination within the criminal justice system. These would include caste sensitivity training for police and judges, strengthening legal protection against caste discrimination, and improved access to justice for marginalized communities. Ultimately, it aims to ensure that individuals of all castes receive equal and fair treatment within the Indian criminal justice system.

Keywords: Caste, Crime, Indian Criminal Justice System, Social Hierarchy, Discrimination

Abbreviations:

SCs: Scheduled Castes

STs: Scheduled Tribes

IPC: Indian Penal Code

CrPC: Criminal Procedure Code

NCDHR: National Campaign on Dalit Human Rights

CSDS: Centre for the Study of Developing Societies

I. INTRODUCTION

The caste system of India arranges people into different hierarchical status levels, which has been established through birth since ancient times. After the Indian Constitution officially declared the abolition of the caste system, the system continues to exert widespread influence, affecting access to education, employment options, healthcare delivery, and access to justice [1].

The criminal justice system perpetuates systemic discrimination against Scheduled Castes and Scheduled Tribes. Tribes are affected by allowing their continuous exposure to unequal treatment.

The legal structure of India, through the Constitution together with the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, operates to safeguard vulnerable groups against caste discrimination, but apparent disparities persist. Law enforcement, the judiciary, correctional institutions, and societal prejudices all maintain and sustain different treatment standards. Caste-based prejudice affects members of lower classes during police interactions and throughout their time within the judicial process, as well as in incidents of criminal targeting. Police officers frequently conduct illegal arrests in addition to using violence and mistreating their detainees, and courts make prejudiced decisions that lead to severe penalties for these detainees.

Caste unions with criminal acts produce fundamental questions regarding justice, fairness, and equality within India's criminal justice system. Which factors induced by the caste system affect law enforcement agencies in their roles between arresting criminals, conducting investigations, and prosecuting cases? How strongly does caste-based discrimination impact judicial actions that lead to court decisions about sentencing, particularly regarding lower caste defendants? The discrimination based on caste affects how justice is administered throughout the Indian nation, which presents itself as both democratic and a republic with legal safeguards protecting all people. This research will present a comprehensive assessment of caste influence in the criminal justice system to understand how social ranking affects courtroom outcomes. The study draws on historical explorations of caste discrimination, statistical evidence, and legal framework analyses to reveal institutional blockades that marginalise vulnerable groups, aiming to develop systemic transformation that leads to fairer justice delivery [2].

II. BACKGROUND

A. Caste and Its Social Implications in India

Indian society established the caste system as an ancient method of classification that organises its numbers through birth-related criteria. Throughout history, the caste system determined how social, economic, and political resources were distributed, allowing higher castes to gain benefits. Yet, support for the Scheduled Castes (SCs) and Scheduled Tribes (STs) involved persistent exclusion, discrimination, and social segregation [3]. The system of untouchability under the caste framework excluded people from lower caste groups from social engagement, thus blocking

Manuscript received on 31 March 2025 | First Revised Manuscript received on 23 April 2025 | Second Revised Manuscript received on 17 August 2025 | Manuscript Accepted on 15 September 2025 | Manuscript published on 30 September 2025.

*Correspondence Author(s)

Dr. Navin Kumar*, Assistant Professor, Department of Law, Bharat College of Law, Kurukshetra (Haryana), India. Email ID: Battan07@gmail.com, ORCID ID: [0000-0002-3856-0607](https://orcid.org/0000-0002-3856-0607)

© The Authors. Published by Lattice Science Publication (LSP). This is an open access article under the CC-BY-NC-ND license <http://creativecommons.org/licenses/by-nc-nd/4.0/>

their educational participation as well as work prospects and human rights protections. Even though Article 17 of India's Constitution bans "untouchability" under all circumstances, the downtrodden continue facing caste bias through multiple covert and open methods. Legal protections exist, but Indian society continues to be influenced by traditional caste systems that shape both everyday relationships and power distribution among its citizens. All parts of India demonstrate substantial discrimination toward lower castes, who encounter barriers in their social development because of persistent caste oppression.

Social exclusion functions alongside caste systems in determining how resources are distributed. Members of lower castes tend to find their route to education, healthcare, and housing restricted, which impedes their potential to escape economic disadvantages. The divisions between caste groups persist through both official and underground mechanisms that block lower-caste people from breaking free from enduring poverty and exclusion. The legal system shows a bias toward lower castes because caste-based prejudices affect how police agents and courts, along with penitentiary staff, interact with these demographic groups. The widespread discrimination based on caste delivers multiple social effects that limit the capacity of underprivileged groups to gain access to legal protections, which can lead to unfair treatment [4]. The caste continues to affect how people in society position themselves alongside others while simultaneously controlling their legal rights to fair court trials and judicial protection.

B. The Indian Criminal Justice System: An Overview

The Indian criminal justice system operates through multiple components to protect human rights, enforce legal standards, and achieve just outcomes. These three main parts constitute law enforcement (police), the judicial system (courts), and detention facilities (prisons). These laws comprise three essential legal instruments: the Indian Penal Code (IPC), the Criminal Procedure Code (CrPC), and the Indian Evidence Act, which provide the framework for investigations, trials, and the imposition of punishments. According to Article 14 of India's Constitution, every person is entitled to equal treatment regardless of their religious background, racial origin, social group membership, sex, or place of birth. The criminal justice system of India faces criticism because the constitutional equality promises remain unfulfilled in real cases, especially when applying them to communities that belong to lower castes. Law enforcement shows one of the most serious problems through discriminatory practices based on caste. Scientific studies demonstrate that police departments target people from lower castes for arrest while subjecting them to shackling and withholding equal protection services under the law. Criminal investigations into disadvantaged caste groups receive less attention from law enforcement officials because these officers tend to hold caste prejudices [5].

Judicial prejudice functions as a critical differentiating factor among other obstacles. Judicial institutions in India should be impartial, but research indicates that lower-caste defendants face more severe sentencing consequences than higher-caste offenders when prosecuted for the same crimes. Caste-based prejudice appears through judges who avoid

taking up cases about lower-class abuse, especially in areas with strict caste boundaries. The prolonged nature of justice proceedings that include lengthy trials, combined with case backlog, affects minority populations most severely since they receive insufficient, timely access to justice. Lack of equality persists for lower-caste people because the correctional system makes their situation worse. The caste system in Indian correctional facilities mirrors the existing social caste system present in the general population. Lower-caste prisoners experience discrimination throughout Indian prisons because they endure mistreatment from both guards and other inmates. Lower-caste discrimination results in abuse, violence, and exploitation that deepens caste-based oppression [6].

III. CASTE AND CRIME: THE NEXUS

A. Discriminatory Practices in Law Enforcement

Law enforcement faces an entrenched problem of caste-related prejudice, which produces unfair treatment of members from disadvantaged castes. The constitutional promise of law enforcement equality fails to protect lower castes from experiencing caste-based discrimination from police officers through secret and open behavioural patterns. Lower-caste members experience the most obvious type of discrimination through police forces who arrest them at elevated rates. Statistical evidence demonstrates that police officers prefer to detain individuals from underprivileged castes whenever property-related violence disputes or domestic abuse offences arise from caste-related conflicts. Social hierarchies in rural areas create strict caste definitions that lead law enforcement practices to reflect social hierarchies strongly through their procedures. The police treat lower-caste people with arbitrary detention and physical violence because officers consider these groups as socially inferior entities without the same rights to fair treatment. Law enforcement representatives display both evident and latent discriminatory behaviour because their actions are influenced by their caste identities alongside social conventions [7]. The police tend to support higher-caste complainants in rural areas more than lower-caste victims in cases of violence and theft disputes. Through selective enforcement of laws, the power difference between castes intensifies because victimised communities suffer further injustice.

Law enforcement agencies show a caste-based preference, which leads officers to neglect reporting incidents affecting people in lower social groups. The lower-caste victims experiencing physical assaults and sexual violence, together with caste-based discrimination, meet police resistance when they attempt to report incidents or request the beginning of investigations. Such cases often receive dismissal from police as they are considered either standard or typical based on the extensive history of discrimination faced by these groups [8]. There are numerous cases where lower-caste victims lack access to justice because they belong to these castes. Manual scavenging presents a clear case of discrimination, as its existence persists despite the law prohibiting it. The police fulfil



their duties in protecting lower-caste victims less than 2% of the time, according to reports from the National Crime Records Bureau. In cases where higher-caste perpetrators commit such crimes, police either fail to act or actively protect the suspects [9].

B. Judicial Bias and Sentencing Disparities

Under theoretical founding principles, the Indian judiciary guarantees impartial justice to all inhabitants without discrimination based on caste, religion, or creed. Judicial results show signs of caste bias, which affects decision-making processes throughout cases of lower-caste defendants and victims. The judicial system exhibits an unconscious bias that manifests as subtle stereotypes, which significantly influence decisions in criminal courts. Throughout history, the judicial system has maintained caste-based stereotypes through voluntary or involuntary processes that have generated unfair results for disadvantaged groups. Judges frequently interpret offences from lower-caste offenders as inherently menacing or as more probable to recur because they maintain preconceived notions of how marginalised groups behave. Judges often place a disproportionate amount of weight on the caste affiliations of defendants rather than the actual evidence presented in each case.

When sentencing occurs based on individuals' caste background, lower-caste people face harsher punishments than upper-caste defendants for equivalent offences, thereby creating profound adverse effects for them. When property conflicts occur between upper-caste and lower-caste individuals, the legal system more frequently supports the upper-caste defendants through exceptional treatment of their cases, leading to either defended perpetrators or sympathetic legal consequences, but extends harsh punishments towards lower-caste defendants regardless of their circumstances [10]. The unequal treatment in court sentencing systems bolsters economic and social disparities by denying rights to those who already face marginalisation. Lower caste people encounter multiple barriers to getting legal help because of discrimination at various stages of their access to the justice system. People from marginalised groups often lack the financial means necessary to retain experienced attorneys, which forces them to use inadequate public defence programs. The absence of proper representation carries serious risks because defendants from lower-caste backgrounds receive limited defence advocacy or experience forced admission during legal proceedings due to insufficient resources and inadequate legal understanding.

Research indicates that judicial decisions are influenced by caste when judges make evaluations of cases which involve caste violence or offences against lower-caste populations. Judges tend to overlook caste-related elements in these crimes because they commonly label them as personal disputes rather than cases born from caste discrimination. The lack of proper reflection between criminal severity and appropriate sentencing results in diminished recognition of systemic lower-caste community violence. Judicial bias against lower-caste communities generates collective negative perceptions about the justice system, so that it affects the entire community's relationship with the courts. Multiple instances of judicial discrimination against lower-

caste defendants lead them to believe that the criminal justice system operates exclusively for upper-caste populations. The biased perception of lower-caste victims deters their willingness to participate in legal procedures that sustain cycles of repeated injustice [11].

C. The Persistence of Caste in Criminal Law

The ongoing presence of caste in the criminal legal system creates difficulties in establishing an equal and fair systematic approach. The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, along with affirmative action policies, protects lower-caste individuals. Yet, their effectiveness is diminished by the presence of caste-based prejudices within law enforcement and the judiciary. The current laws, which aim to stop caste violence or discrimination, have weak implementation, although caste remains influential in shaping criminal case resolutions. Caste smuggles into criminal justice institutions in two ways: both through the law and through social problems. The criminal justice system achieves its full effectiveness through the recognition and active treatment of caste-based biases. Both policing and judicial procedures require a comprehensive transformation to prevent caste from influencing how authorities handle criminal offenders within the legal system [12].

IV. SOCIAL HIERARCHY AND CRIME VICTIMIZATION

A. The Victimisation of Lower-Caste Communities

The Indian Scheduled Castes (SCs) together with Scheduled Tribes (STs) face disproportionate risk against criminal offences as well as institutional social violence. Because they occupy the lower rung of India's caste hierarchy, these communities suffer numerous kinds of violence and discrimination along with economic deprivation. Social marginalisation exposes these groups to become targets of caste-based violence, resulting in aggravated victimisation because the legal and social system fails to address their severe crimes properly. The most common criminal behaviour targeting lower-caste communities takes the form of caste violence [13]. Lower caste individuals suffer from broad violent acts, including physical attacks and sexual assaults, together with the archaic practice of honour killings that involves family members or community members executing caste members who violate social expectations. Society allows or ignores such crimes without reacting against them or taking severe actions against the criminals.

Honour killing is an ongoing major problem that exists despite its illegality in Indian law, since many lower caste communities maintain rigid caste-based social control systems. Violence against lower castes becomes unjustifiable when individuals attempt to set themselves beyond the established social rules, in that their communities enforce it with false justifications of honour's preservation. Most victims of honour killings belong to lower-caste women since their Caste membership generates multiple forms of social oppression in addition to gender discrimination. Many rural and Semi-urban regions

still practice physical violence against individuals from lower castes by subjecting them to manual scavenging and enforced labour and maintaining practices of untouchability. Lower-caste communities face continued pressure from upper-caste people to conduct manual scavenging work despite the practice being outlawed because such activities require human beings to clean public and private human waste. Higher caste individuals generally commit these crimes against lower caste groups because they depend on this arrangement to preserve their social and economic advantages. People who try to deny or fight for justice experience threats along with violence and social ostracism at the hands of these perpetrators [14].

Economic exploitation, too, plays a significant role in the victimization of lower-caste communities. Lower-caste people typically receive the worst economic positions through their assignment to cleaning work alongside agricultural work and manual labour in urban areas. The workers face numerous challenges, as they receive inadequate payment and must spend excessive amounts of time at work, while being deprived of fundamental entitlements. Lower-caste communities who protest about their unfair circumstances tend to face violence or dangerous retribution that deepens their poverty victimisation pattern. Continuous economic exploitation traps lower-caste communities because the existing social hierarchies consistently withhold their chance to advance socially and economically. Various forms of social exclusion are evident in the way society denies access to public places, as well as learning facilities and healthcare options. This isolation exacerbates their vulnerability to crime and victimization. The criminal justice system, along with various communities, tends to deny protection and support to members of lower castes, which builds a widespread cultural environment of disregard [15].

B. Limited Access to Legal Resources

Lower-caste victims face significant challenges in pursuing legal recourse, as accessing resources and justice proves difficult. The path toward justice remains blocked for lower-caste individuals because they lack proper access to top-quality legal representation services. Lower-caste individuals struggle to secure qualified legal counsel because the services of skilled lawyers are too expensive for most of their economic brackets to afford. They often rely on legal aid programs, which frequently face insufficient funding and excessive workload. Legal aid services that aim to offer legal justice to disadvantaged populations frequently lack the proper ability to handle the intricate dynamics of caste discrimination during court hearings. Low-caste victims commonly remain unaware of their legal rights and the governmental procedures used for their protection. The rural citizenry faces significant challenges when attempting to navigate the complex legal framework, which remains frequently inaccessible to them [16]. Most victims are unaware of protective measures meant to guard against caste-based violence, and the ones who do understand their rights face challenges accessing proper justice resources. The lack of legal education among disadvantaged groups extends their risk of discrimination and oppression.

Due to social judgment against lower caste membership, many victims do not seek help since they believe law enforcement and judicial systems will not protect them because of institutional prejudice. Judicial officials, together with police officers, frequently hold prejudice that negatively affects the complaints of lower-caste victims. Law enforcement personnel fail to take reports from victims seriously and deny filing an FIR, or First Information Report, because the alleged perpetrators generally belong to higher caste groups. Judges, together with law enforcement officers, maintain institutional discrimination because they frequently dismiss caste-based crimes or treat them like personal matters. The unwillingness of official systems to identify caste-based attacks as distinct discrimination types causes most victims not to report incidents. At the same time, investigations become incomplete, and the actual dangers behind these crimes are downplayed. The process further entrenches violent cycles and immunity, which creates additional barriers for lower-caste victims to receive just treatment for their suffered injuries [17].

Caste violence reaching judicial courts too often reaches unjust, delayed judgments because of both judicial bureaucracy and inefficiency in the legal process. These marginalised individuals must endure numerous years of waiting while possible perpetrators conduct additional violent actions and revenge operations against them. The lengthy process of legal procedures becomes too complex for victims to bear, forcing them to abandon their pursuit of justice. Systemic inequalities persist because law enforcement personnel, along with judicial personnel, do not receive training about caste, which extends these discriminatory practices. Police officers overlook caste-based motives in crimes, although judges neglect to include caste as an essential element when determining sentencing decisions. Conducting legal processes without considering caste victimisation creates significant limitations which reduce their ability to protect vulnerable groups.

V. REFORMS AND LEGAL FRAMEWORKS

A. Legislative Measures Against Caste Discrimination

The legal framework of India implements various provisions against caste discrimination through legislation. Yet, their overall efficacy faces challenges due to inadequate law enforcement, as well as deep-rooted biases about caste within judicial and law enforcement systems. The main legislative protection against caste-based atrocities came with the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act of 1989 [18]. This legislative measure contained special protective provisions to address severe caste-based crimes and discrimination targeting members of SCs and STs. The law specifies different offences that can target people from these communities through physical attacks combined with social exclusion, sexual abuse, and exploitation. Under this legislation, perpetrators face severe consequences that include jail time, together with monetary fines, while separate courts handle expeditiously the trials of atrocities cases. The Protection of Civil Rights Act, 1955, with the Prevention

of Atrocities Act, serves as vital legislation for protecting the rights of SCs and STs. This legislation aimed to eradicate untouchability while safeguarding the public mobility rights of oppressed communities, as well as their admission into educational institutions and access to work opportunities. The Act makes forced labour, discrimination, and denial of access to public facilities punishable offences.

These legal provisions bring substantial progress in dealing with caste-based violence and discrimination, but enforcement standards remain inadequate. Resistance arises against the enforcement of the Prevention of Atrocities Act because of social and political pressures that emerge against it. Police officers, along with other law enforcement personnel, show hesitation to execute proper investigations of caste-based offences because they either hold caste preferences or maintain alliances with dominant upper-caste groups [19]. Lower-caste victims in rural settings refuse to report assaults because they expect either that their cases will result in violence in return or that they doubt the capacity of the legal system to protect them. Lower-caste communities face challenges in enforcing these laws because they lack understanding of their legal rights. Those experiencing caste violence generally remain uninformed about legal relief options under these laws because they lack confidence in receiving impartial treatment. The practice of intimidation and coercion mainly targets victims through individuals holding a higher position in the caste system and officials who work for local governing bodies [20].

An additional issue arises from the extended legal proceedings that follow the filing of cases under this legislation, as they impede the successful resolution of caste-based attacks. Delayed justice and slow case processing by the judiciary convey a sense of apathy towards communities that depend on these protective laws for their safeguarding. The population requires improved implementation systems and enhanced government support, combined with a local understanding of legislative protections, to achieve meaningful change.

B. The Role of the Judiciary in Ensuring Justice

The Indian judiciary maintains a crucial position in safeguarding the constitutional rights of complete equality and justice for all citizens, particularly members of disadvantaged caste groups. The Indian Constitution protects equality through Article 14 by ensuring equal treatment before or after the law for all citizens, regardless of their caste identity. The judiciary faces inconsistent challenges in defending the rights of lower-caste citizens, despite laws intended to protect them. The Supreme Court has issued multiple important rulings regarding caste discrimination; however, these rulings face various difficulties during their implementation phase. Through time, the Supreme Court of India has passed crucial judgments about caste-supported discrimination while specifically focusing on reservation policies along with protection for victims of caste-supported attacks. Justice System courts believe affirmative action must exist because it provides equal educational and employment opportunities to marginalised group members. The judiciary reinforced the Prevention of Atrocities Act by instructing authorities to enhance their response when addressing caste-based crimes.

Judicial directives set down by the court are often irregularly applied, particularly when dealing with legal matters affecting lower caste populations. The judiciary shows hesitance to determine caste as fundamental in criminal case analysis when they view caste violence as disputes between private individuals rather than systemic discrimination roots. The failure to recognize caste as an issue allows perpetrators to walk free while denying victims their right to justice. The need for judicial reforms has emerged because social equality demands improved sensitivity toward caste issues, along with judicial accountability systems. Judges, law enforcement officers, and lawyers require immediate training on recognising and handling caste-based discriminatory cases. All judges involved in legal proceedings require training to recognise how caste influences crime occurrences and the outcome of legal proceedings. Judicial authorities require both training on social biases that impact judicial proceedings and practical methods to mitigate these biases, enabling them to make fair decisions within the courtroom [21].

Accountability systems should receive better support to maintain the professionalism of judicial and law enforcement personnel when protecting the rights of minority communities. The authorities must track caste-related case proceedings and verify that persons conducting caste-based offences receive proper legal prosecution. Permanent evaluations of caste treatment within judicial proceedings are necessary to ensure the consistent application of equality and fair treatment principles. The judiciary should implement affirmative action policies to enhance the presence of minority communities in the legal profession. Barriers exist for lower-caste individuals seeking entry into the legal profession due to both social and economic restrictions. Lower-caste participation in the judiciary, through lawyers, judges, and legal experts, will strengthen the judicial system by offering comprehensive views on caste-based discrimination while improving its effectiveness in resolution. The reservation system in judicial appointments requires heightened emphasis because it serves to bring members from underprivileged caste communities into every stratum of the legal system. Judicial decision-making becomes more justifiable because it considers the actual experiences of marginalized groups when more individuals from these backgrounds join the judiciary.

VI. EMPIRICAL EVIDENCE AND CASE STUDIES

A. Case Study 1: Discrimination in Police Investigations

Research shows the existence of discriminatory practices among law enforcement officials who target lower-caste communities in the examined geographical areas where caste-based hierarchy remains rigid. A range of documented cases proves that police officers consistently mistreat or disregard lower-caste groups because of their persistent cultural biases. Dalits in Haryana especially faced discrimination when they were involved in an argument with an upper-caste family at the Kundli Manesar Palwal Expressway. The altercation between the families



became violent until the Dalit family decided to contact police authorities [22]. The police officers showed reluctance to complete the FIR procedure and gave their support to the upper-caste family while evidence pointed to violence and caste-based harassment. The police showed no interest in investigating the complaint from the marginal community because the local law enforcement agents primarily belonged to higher caste groups. The authorities needed several months of media exposure before taking meaningful action because caste-based biases strongly affect police responses to marginalized community cases.

Caste-based conflicts over land disputes and social issues frequently arise between different castes throughout Bihar's rural areas. A Dalit individual became the defendant when law enforcement charged him with murdering someone from an upper caste during a conflict over land ownership. The police started their investigation with bias because they refused to consider false accusations caused by caste disputes. Before the investigation began, the defendant from the Dalit community received no benefit of the doubt: police officials chose to disregard traces of evidence pointing to another possible offender. Caste prejudices affect both police behaviour toward suspects and the quality of investigations in numerous rural Indian areas. The lengthy delay in recording First Information Reports with police agencies stands as a definitive sign that law enforcement maintains caste bias during their work. The National Campaign on Dalit Human Rights (NCDHR) investigated and found that police officers filed First Information Reports (FIRs) in only 40% of Dalit investigation cases. In comparison, the remaining 60% resulted in FIR refusals or prolonged delay investigations. The procedural flaws deny strict enforcement of the law according to equality standards, while enabling offenders to escape prosecution for case-based offences continuously.

B. Case Study 2: Judicial Outcomes for Lower-Caste Defendants

The legal system in India often presents judicial biases against defendants from lower caste backgrounds. Data analysis from the courts shows that judges give harsher penalties to lower-caste defendants than upper-caste defendants when both face equivalent criminal charges. Several examples demonstrate how judges make different decisions regarding sentences, often due to caste discrimination. The rural village of Uttar Pradesh established Ramesh Kumar's fate when they accused him of theft, even though he was a Dalit man [23]. The police charged Ramesh with baseless circumstantial evidence without questioning the upper-caste suspect involved in the same crime. The court failed to perform a serious investigation during the trial because discriminatory attitudes toward the defendant based on caste status affected judicial perceptions of guilt. The courts sentenced Ramesh to 10 years in prison, despite his history of no past criminal offences. A man of higher caste status who participated in the same offence escaped to freedom through bail after spending only a few weeks in prison. Judicial decisions are strongly affected by caste position because lower-caste defendants routinely face more severe punishment than their higher-caste counterparts.

A civil case investigation shows how a Scheduled Caste person fought accusations about encroaching upon government properties. The defendant's legal representatives argued that Dalit families had created this property through informal settlement. Still, the decision was immediately rejected by a judge who belonged to an elite caste without providing a proper review of the submitted evidence. The judicial system afforded an upper-caste defendant accused of the same offence better treatment than the lower-caste defendant by lowering his punishment. The court system failed to address underlying discriminatory practices that prevent minorities from owning land or establishing settlements because the sentencing was harsher on the lower-caste defendant. Sentencing records from both criminal and civil proceedings validate these findings through data analysis. A research study from the National Law University, Delhi, demonstrated that criminal defendants belonging to the Dalit caste suffered twice the probability of getting sentenced to death or life imprisonment when compared to defendants from higher castes. Lower-caste defendants faced more severe punishment in property crime cases, although their participation in these offences was slight according to research findings. Property disputes between lower-caste people and members of higher castes in civil court usually turned negative for the Dalits because judicial authorities hesitated to oppose property privileges based on caste status [24].

Studies conducted by the Centre for the Study of Developing Societies (CSDS) reveal that caste prejudice often exists without obvious indicators, manifesting itself through understated expressions. Upper-caste defendants receive favoured treatment from judges during character witness evaluation and lower-caste defendant testimony evaluation processes. Caste prejudices display different expressions during courtroom proceedings by showing lower-caste defendants as persons more likely to break laws and exhibit dishonourable conduct.

VII. POLICY RECOMMENDATIONS

A. Strengthening Legal Protection for Marginalised Groups

To combat caste-based discrimination and ensure equal justice for marginalized groups in India, several policy recommendations are crucial. These reforms must focus on strengthening legal protections, improving enforcement, and addressing the unique challenges faced by lower-caste individuals within the criminal justice system.

- i. *Enhancing Enforcement of Caste-Based Laws:* The laws India has implemented to safeguard its marginalised caste communities, such as the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, and the Protection of Civil Rights Act, 1955, face inadequate implementation. A strategic improvement of these law enforcement practices operates as the fundamental priority for achieving effective implementation at the ground level [25]. The establishment of



atrocities cells focusing on caste-based crimes at police stations should become the groundwork to accomplish effective crime investigations. The trained personnel at these cells must demonstrate cultural awareness to prevent lower-caste victims from enduring additional mistreatment during law enforcement procedures. All law enforcers who handle investigations of caste-based crimes should complete thorough training in both identifying signs of caste-based discrimination and performing their duties free from prejudice. The training should emphasise understanding the effects of caste-based violence while maintaining equal administrative law toward all residents. Law enforcement teams from outside the communities that practice rigid caste identification should take responsibility for handling probing cases of lower-caste victimization in rural areas [26].

- ii. *Affirmative Action Policies:* Indian affirmative action policies, which create educational and occupational reservations, have been vital in offering opportunities to marginalised groups. The current affirmative action policies require additional enhancements across all sectors, particularly in the higher education system and the government workforce. To prevent the ineffective implementation of affirmative action policies, the government needs to establish systems that monitor educational institutions and employers [27]. History demonstrates that reservation policies are necessary in both law enforcement agencies and judicial institutions. These policies must be implemented appropriately. The criminal justice system operates more effectively when its primary sectors, including law enforcement and the judiciary, have minority caste professionals, as their presence enhances equal treatment standards and public trust in justice institutions. Very few lower-caste members hold positions within law enforcement agencies or judiciary systems, and this limited presence causes the institutions to maintain their current biased practices.
- iii. *Support for Lower-Caste Victims:* A structured method needs to exist for criminal justice to detect and support those who belong to lower caste backgrounds. Attached services should provide lower-caste victims with access to suitable legal aid and counselling solutions that address their specific needs. Expanding legal aid programs with expertise in caste-based crimes should be accompanied by improved accessibility to rural legal services. The government must fund victim compensation programs designed to assist individuals victimised by caste-based offences in reviving after suffering from violent discrimination. Marginalised groups need access to legal education programs about their rights because community-based monitoring will enable them to understand how to access justice. These programs must educate both the public and law enforcement officials about caste equity, along with

human rights principles, especially in remote and rural areas that perpetuate caste-based social practices.

B. Judicial and Police Reform

Reforming the police and judicial systems is crucial to addressing caste-based discrimination and ensuring that marginalized individuals are treated fairly throughout the criminal justice process. The following reforms are essential for reducing caste bias and improving justice outcomes for lower-caste communities:

- i. *Caste-Sensitivity Training:* Professional training focused on caste sensitivity needs to become an obligatory requirement for all police officers together with judges and legal staff because unconscious caste discrimination is common. The training should help these officials understand how caste impacts people in their interactions with justice proceedings and instruct them to detect and remedy structural biases affecting both accused persons and victims [28]. The curriculum needs to incorporate real-world methods to address caste-related prejudice during investigations, judicial sessions, and sentencing stages, along with tools that ensure impartial treatment. A training program for law enforcement officials should be launched by independent human rights organisations that collaborate with law schools and legal aid groups to create content tailored to Indian challenges.
- ii. *Establishing Independent Oversight Bodies:* The application of fair and impartial law necessitates the immediate creation of neutral oversight agencies that perform inspection roles in police investigations and judicial proceedings involving marginalised populations. These organisations should be empowered to investigate complaints of caste-based prejudice, analyse court proceedings and sentencing, and enforce official accountability. Such oversight bodies must comprise diverse personnel, including representatives from marginalised communities, who will ensure fair and diverse perspectives are considered during their decision-making process. Each state should establish ombudsman-style offices as standalone entities to handle caste-related grievances, promoting accountability. These offices would make it their responsibility to confirm that police departments and judicial systems follow appropriate procedures in cases involving marginalised persons. These offices would function as independent platforms that allow whistle-blowers in the criminal justice system to reveal caste-based discrimination and protect them from reprisals.
- iii. *Strengthening Community Policing and Engagement:* Community policing is a crucial strategy for building trust between law enforcement agencies and marginalised communities. To reduce caste-based discrimination, it is essential to promote the idea of police officers as community helpers rather than enforcers



Of oppressive systems. This involves fostering positive relationships between the police and lower-caste communities through community outreach programs and dialogue sessions. These programs should be aimed

at reducing caste-based violence, improving police accountability,

and increasing the public's confidence in the ability of the police to deliver justice impartially.

iv. *Strengthening the Judiciary's Role in Addressing Caste Bias:* The Indian judiciary requires structural improvements that will enable proper handling of caste-based discrimination cases inside courtrooms. The judiciary must establish exclusively dedicated boards that specialise in caste-based discrimination cases, incorporating judges who possess expertise in detecting and resolving caste prejudice. The judiciary must require judges to provide thorough explanations in their rulings regarding their consideration of caste in cases of discrimination, particularly when caste elements influence criminal events or subsequent matters. Providing case details would help combat caste discrimination by granting lower-caste defendants and victims equal opportunities to present their case positions.

v. *Establishing Fast-Track Courts:* Fast-track courts specifically designed for cases involving marginalised communities should be established to expedite legal proceedings, as traditional court delays continue to affect caste-based violence cases. Specialised legal personnel who specialise in caste-based crimes, as well as additional staff members, should work at these courts to facilitate timely and equitable case-handling procedures.

VIII. CONCLUSION

Caste victims experience persistent discrimination against marginalized communities because the Indian criminal justice system magnifies pre-existing biases. The anti-discrimination laws India established to tackle caste-based discrimination fail due to poor enforcement strategies as well as societal discrimination and official irresponsibility. The legal framework of the Scheduled casts and scheduled tribes (Prevention of Atrocities) Act 1989 and the Protection of Civil Rights Act 1955 fails to protect discriminated lower-caste Indians in both criminal victimisation and with legal processes. Caste shapes multiple points in the criminal justice system due to biased law enforcement, prejudiced judges, and uneven sentencing practices. Lower-caste individuals experience an unfair trial process because they lack the necessary legal support. Caste-based violence, including honour killings, forced labour, and land disputes, continues to be prevalent within rural areas, and the urban regions maintain their caste-driven bias problems. Membership in these disadvantaged communities carries multiple obstacles that block their ability to pursue proper justice, including financial limitations as well as institutional indifference. These persistent social disparities cause a cycle of prejudice that depletes public faith in justice proceedings while intensifying societal segregation.

A fair society demands criminal justice system reform that guarantees fair treatment for every citizen, regardless of their caste background. A comprehensive system reform requires amplifying anti-discrimination law enforcement, along with clear caste-sensitivity training for all judges and law enforcement personnel, and additional oversight measures. To safeguard lower-caste victims better after crimes occur, the government needs to create programs. Which offers affordable legal assistance and compensation benefits? Both legal and institutional reforms need to form a united effort to remove the deep-rooted caste biases that continue to exist in the justice system operations. Caste discrimination in the justice system will decrease when India implements stronger accountability mechanisms for legal processes, police practices, and judicial decisions. Sustained efforts, combined with comprehensive policy changes, will enable the creation of a justice system that ensures constitutional equality and fairness for every citizen. A unified legal system must remain central to promoting harmony among different social groups as it advances justice for India's underprivileged communities throughout the nation.

DECLARATION STATEMENT

I must verify the accuracy of the following information as the article's author.

- **Conflicts of Interest/ Competing Interests:** Based on my understanding, this article has no conflicts of interest.
- **Funding Support:** This article has not been funded by any organizations or agencies. This independence ensures that the research is conducted with objectivity and without any external influence.
- **Ethical Approval and Consent to Participate:** The content of this article does not necessitate ethical approval or consent to participate with supporting documentation.
- **Data Access Statement and Material Availability:** The adequate resources of this article are publicly accessible.
- **Author's Contributions:** The authorship of this article is contributed solely.

REFERENCE

1. Z. Akhtar, Scheduled Castes, Dalits and Criminalisation by 'Descent', 9 State Crime Journal 1 (2020), DOI: <https://doi.org/10.13169/statecrime.9.1.0071>
2. Pal, G. C. (2020). Caste and consequences: Looking through the lens of violence. CASTE: A Global Journal on Social Exclusion, 1(1), 95–110. DOI: <https://doi.org/10.26812/caste.v1i1.144>
3. C. Hart, Untouchability Today: The Rise of Dalit Activism, Research Digest (2010). Christophe Jaffrelot, India's Silent Revolution: The Rise of the Lower Castes in North India (Columbia University Press, 2003). <https://digitalcommons.du.edu/hrhw/vol11/iss1/18/>
4. Sanjutha, T., & Harsha, A. (2021). Casteism in the Indian criminal justice system. International Journal of Legal Science and Innovation, 3(4), 12–19. <https://ijlsi.com/paper/casteism-in-indian-criminal-justice-system/>
5. Bhowmick, K., Dasgupta, I., & Pal, S. (2024). Within-group inequality and caste-based crimes in India (IZA Discussion Paper No. 17383). Institute of Labour Economics (IZA).



AUTHOR'S PROFILE



Dr. Navin Kumar is an experienced legal scholar and Assistant Professor at Bharat College of Law, Kurukshetra, India. With a Doctorate in Law from Chaudhary Devi Lal University, his research focuses on the compensation and rehabilitation of rape victims, contributing significantly to academic literature. He holds an LL.M. in Criminal Law and a B.A. L.L.B. from Kurukshetra University. Dr. Kumar has been actively involved in teaching, offering lectures on criminal law, evidence law, and human rights. His research has been widely published in peer-reviewed journals, and he has contributed chapters to Scopus-indexed books. Additionally, Dr. Kumar has presented papers at various national and international conferences, focusing on topics such as judicial reforms, legal safeguards, and women's safety. His dedication to both academic excellence and legal reform makes him a valued mentor and educator. He is committed to fostering an intellectually stimulating environment for students.

Disclaimer/Publisher's Note: The statements, opinions and data contained in all publications are solely those of the individual author(s) and contributor(s) and not of the Lattice Science Publication (LSP)/ journal and/ or the editor(s). The Lattice Science Publication (LSP)/ journal and/ or the editor(s) disclaim responsibility for any injury to people or property resulting from any ideas, methods, instructions, or products referred to in the content.

- DOI: <https://doi.org/10.2139/ssrn.4997705>
6. Witsoe, J., Territorial Democracy: Caste, Dominance and Electoral Practice in Postcolonial India. *PoLAR: Political and Legal Anthropology Review*, 32(1), (2009).
<https://www.jstor.org/stable/24497526>
7. Sharma, K. (2023). Symbiotic Justice: Hate Crimes, Police Humiliation, and Layered Discrimination. *SAGE Open*, 13(4), 1–15. DOI: <https://doi.org/10.1177/09646639241236924> K.S. Chalam, Political Economy of Caste in India (2021). DOI: <https://doi.org/10.4135/9789353885861>
8. M. Tyagi, Effect of Social Capital on Vulnerability to Violence: Empirical Evidence from India, 23 *Journal of Social and Economic Development* 1 (2021). DOI: <http://doi.org/10.1007/s40847-020-00109-x>
9. N. Sashittal, The Enigma of Caste Atrocities: Do Scheduled Castes and Scheduled Tribes Face Excessive Violence in India?, 13 *Onati Socio-Legal Series* 1 (2023). DOI: <http://doi.org/10.35295/osls.iisl/0000-0000-0000-1332>
10. P. Baxi, S.M. Rai & S.S. Ali, Legacies of Common Law: 'Crimes of Honour' in India and Pakistan, 27 *Third World Quarterly* 7 (2006). DOI: <http://doi.org/10.1080/01436590600933404>
11. P. Bhattacharya, 'Honour' Killings and Customary Laws: A Case Study of Khap Panchayats in Haryana, India, 5 *Violence: An International Journal* 1 (2024). DOI: <http://doi.org/10.1177/26330024231219703>
12. Human Rights Watch. (1999). Broken people: Caste violence against India's 'Untouchables'. Human Rights Watch. Retrieved from <https://www.hrw.org/report/1999/03/01/broken-people/caste-violence-against-indias-untouchables>.
13. P. Eunny, D. Roj & R. Sengupta, Caste-based Crime and Agriculture: Panel Data Evidence from the Indian States, 16 *Indian Journal of Human Development* 2 (2022). DOI: <http://doi.org/10.1177/09737030221120473>
14. P. Mayer, The Better Angels of Their Natures? The Declining Rate of Homicides Against India's Dalits, 5 *Studies in Indian Politics* 2 (2017). DOI: <http://doi.org/10.1177/2321023017727956>
15. P.J. Patel, Declining Social Control and the Rising Deviant Behaviour in India, 69 *Sociological Bulletin* 1 (2020). DOI: <https://doi.org/10.1177/0038022919899000>
16. S. Fuchs, Truth Clashes: Caste Atrocities, False Cases, and the Limits of Hate Crime Law in North India, 30 *Journal of the Royal Anthropological Institute* 3 (2024). DOI: <http://doi.org/10.1111/1467-9655.14094>
17. T. Tannvi & S. Narayana, The Challenge of Gender Stereotyping in Indian Courts, 8 *Cogent Social Sciences* 1 (2022), DOI: <https://doi.org/10.1080/23311886.2022.2116815>
18. V. Kumar, Crimes Against Women in India, 2 *Studies in Law and Justice* 4 (2023). DOI: <http://doi.org/10.56397/SLJ.2023.12.13>
19. Dalwai, S. (2023). Making a case for teaching caste and gender in law schools. *Asian Journal of Legal Education*, 10(2). DOI: <https://doi.org/10.1177/23220058231152431>
20. Arya, V., Page, A., Dandona, R., Vijayakumar, L., Mayer, P., & Armstrong, G. (2019). The geographic heterogeneity of suicide rates in India by religion, caste, tribe, and other backwards classes. *Crisis*, 40(5). DOI: <https://doi.org/10.1027/0227-5910/a000574>
21. Kochar, R. (2022). From traditional to modern atrocities: Has caste changed in independent India? *Contemporary Voice of Dalit*. DOI: <https://doi.org/10.1177/2455328X221136385>
22. Shankar, S., & Swaroop, K. (2021). Manual scavenging in India: The banality of an everyday crime. *CASTE / A Global Journal on Social Exclusion*, 2(1). DOI: <https://doi.org/10.26812/caste.v2i1.299>
23. Yadav, T. (2020). Witch hunting: A form of violence against Dalit women in India. *CASTE / A Global Journal on Social Exclusion*, 1(2). DOI: <https://doi.org/10.26812/caste.v1i2.203>
24. Mehta, S., Khan, Z., Danish, S., Ankur, A., Nupur, N., & Mitra, A. (2022). Atrocities against the Scheduled Caste in India. *Asian Journal of Multidisciplinary Research & Review*, 3(4). DOI: <https://doi.org/10.55662/ajmrr.2022.3401>
25. Sharma, S. (2015). Caste-based crimes and economic status: Evidence from India. *Journal of Comparative Economics*, 43(1). DOI: <https://doi.org/10.1016/j.jce.2014.10.005>
26. Kabiraj, P. (2023). Inequality and caste-based crime in India. *Journal of Asian and African Studies*. DOI: <https://doi.org/10.1177/00219096231207890>
27. Mitra, A., & Mukherji, A. (2023). Within-group inequality and caste-based crimes in India (IZA Discussion Paper No. 17383). IZA – Institute of Labour Economics. <https://docs.iza.org/dp17383.pdf>
28. Sen, S. (2005). Colonial crime and the domestic order: The Criminal Tribes Act and the politics of sedition in colonial India. *Economic*