



Understanding the Connection Between BNS and  
Cybercrime

PREPARED BY: - Dr P.VEERA MUTHU M.A LL.M, UGC NET, SLET, PH.D

CELL NO. 9840535748

Sakthi Sai Law Academy, Chennai

☎ Cell: 9840535748

Note: online classes and off line coaching are available.

Coaching is offered for

LL.B. Law Class


All India Bar Examination (AIBE)

Civil Judge Examination

Assistant Public prosecutor (APP)

UGC NET LAW

# Understanding the Connection Between BNS and Cybercrime



## BNS & CYBERCRIME

How BNS is connected to Cybercrime

### 1. WHAT IS BNS?

**CR**

- BNS stands for Bharatiya Nyaya Sanhita, 2023.
- It is India's new criminal law that replaced the Indian Penal Code (IPC).
- It defines general criminal offences and their punishments.

### 2. HOW BNS IS CONNECTED TO CYBERCRIME

**A** BNS is used alongside the Information Technology (IT) Act, 2000. Most cybercrime cases involve laws:

- IT Act – for technology-related offences
- BNS – for the underlying criminal act (cheating, forgery, stalking, intimidation, etc.)

**B** BNS recognizes cybercrime as organized crime cases. Section 111 (Organised Crime) specifically includes cyber-crimes when committed by criminal groups or syndicates for financial or material gains.

### 3. HOW IT WORKS? (THE CONNECTION)

Cyber Activity → Underlying Criminal Act → Punished Under BNS + IT Act

(Cheating, Forgery, Threat, etc.)

**Example**  
Online fraud → Cheating → Punished under BNS sections + IT Act sections

### 4. EXAMPLES TO UNDERSTAND

**Example 1: Online Booking Fraud**

Phishing link steals ₹50,000

**Laws involved:**

- BNS – Cheating
- IT Act – Unauthorized access, data leak

**Example 2: Fake Social Media Account**

Someone creates a fake profile and impersonates another person

**Laws involved:**

- BNS – Cheating
- BNS – Desamation
- BNS – Defamation (if reputation harmed)

**Example 3: Cyberstalking**

Repeated messages, tracking, harassment

**Laws involved:**

- BNS – Stalking
- BNS – Criminal Intimidation
- IT Act – Relevant provisions

### 5. SECTION 111 BNS – ORGANISED CRIME

This section includes cyber-crimes as a form of **organised crime** when committed by a **criminal syndicate** or group for financial or material gains.

**Examples of such groups:**

- Large phishing groups
- International online fraud networks
- Ransomware groups
- Fake investment-app syndicates

★ If a group repeatedly commits cyber fraud as an organized operation, Section 111 can be invoked, which carries much stricter punishment.

### 6. COMMON CYBER ACTIVITIES AND RELEVANT LAWS

| Cyber Activity                          | BNS Sections   | IT Act Sections                         |
|---|--|---|
| Phishing / Online Fraud                 | Cheating (Sec. 318-318)<br>Criminal breach of trust (Sec. 305-305)     | Sec. 660 (Cheating by personation), 66C |
| Take Banking App / Payment Fraud        | Cheating (Sec. 318)<br>Misappropriation (Sec. 354)                     | Sec. 660, 66C                           |
| Takes Profile / Reposeval               | Restoration (Sec. 315)<br>Cheating (Sec. 318)<br>Defamation (Sec. 556) | Sec. 66C, 660                           |
| Cyberstalking / Harassment              | Stalking (Sec. 310)<br>Criminal Intimidation (Sec. 351)                | Sec. 66F                                |
| Online Threats                          | Criminal Intimidation (Sec. 351)                                       | Sec. 66F                                |
| Digital Forgery / Falsify Documents     | Forgery (Sec. 338-337)<br>Using forged document (Sec. 338)             | Sec. 666, 660                           |
| Organized Cybercrime (Syndicates/Group) | Organized Crime (Sec. 111)<br>+ Other relevant sections                | Sec. 668-44F, 460, 87 AII.              |

### 7. KEY POINT

BNS does **NOT** have a separate chapter exclusively for cybercrime. Instead, it provides general criminal offenses (cheating, forgery, stalking, intimidation, computer, organized crime, etc.) that apply when these offenses are committed using computers, phones, internet or digital platforms. The IT Act provides the specialized cyber-law platforms.

### 8. SIMPLE EXAM ANSWER (5 MARKS)

BNS is connected to cybercrime because many online offenses involve traditional crimes such as cheating, forgery, extortion, stalking, and criminal intimidation. These offenses are punishable under BNS even when committed through digital means. In addition, Section 111 of BNS expressly recognizes cyber-crimes as a form of organized crime when carried out by criminal syndicates. Therefore, cybercrime cases in India are often investigated and prosecuted using both the Information Technology Act, 2000 and the Bharatiya Nyaya Sanhita, 2023.

**QUICK REMEMBER**

IT Act → Technology criminal offenses  
BNS → Criminal act behind law offenses  
Together → Complete justice

**Dr P Veera Muthu M A II M NET SLET PH D**

As law students, we often associate cybercrime only with the Information Technology Act, 2000. However, while studying this topic, I learned that many cyber offenses also involve traditional criminal acts such as

cheating, forgery, impersonation, stalking, criminal intimidation, and organised crime.

The Bharatiya Nyaya Sanhita, 2023 (BNS) plays a crucial role in addressing these underlying offences, even when they are committed through digital platforms. In several cases, the IT Act and BNS work together to ensure comprehensive legal action against cybercriminals.

One interesting takeaway was that organised cybercrime syndicates can also attract provisions relating to organised crime under BNS, highlighting how modern criminal law is adapting to digital challenges.

I've created this mind map to simplify the relationship between BNS and cybercrime for fellow law students and legal enthusiasts.

What other legal topics would you like to see explained through mind maps?