

# The Judicial Response to White Collar Crimes and the Deviance Committed by Privileged Class

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**Abstract:** *White-Collar Crime is intrinsically a violation or breach of trust reposed in a person by the society. White-collar crimes destroy mutual trust and community morale. Since criminals of this type mostly belong to the leading class and since members of this class, even if they do not themselves participate in such crimes, are reluctant to attack the other members, leadership is lacking in the fight and there is no effective plan for the enforcement of the law. Because of their social prestige and political influence, white-collar criminals are but seldom prosecuted and even more rarely convicted.*

*The credit for coining and popularising the phrase 'White Collar Crime' goes to the American Sociologist and Criminologist, Prof. Edwin H. Sutherland, who thus, extended the frontiers of criminology by including the study of this offence into its area. Presenting his address to the American Sociological Society in 1939, Sutherland defined White-Collar Crime as "crimes committed by persons of respectability and high social status in the course of their occupations". Another time he said: "the White-Collar Criminal is defined as a person with high socio-economic status who violates the laws designed to regulate his occupational activities."*

*Our social system is corrupted by number of white-collar crimes causing an irreparable damage to the society at large. The willingness to corrupt and capability of corrupting, both are present in a large measure in the industrial and commercial sector thereby nurturing the system of quasi corrupt Indian society to a complete corrupted one. Moreover, the increase in the business transactions combined with the lack of legal control, effective internal control mechanism and adequate risk management strategies has forced the legislators to pass certain laws. It may be noted at the very outset that White-Collar Crime is not the terminology in use anywhere in the Indian Penal Code, 1860 which is the Bible of Indian Criminal Laws..*

**Keywords:** Deviance, White-collar crime, violation, socio-economic crime

