

# Teenagers, Sex and the Law: Where Consent Gets Complicated

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**Abstract:** *In Today's emerging life change is constant and it's necessary to change accordingly. In traditional India the definition of love relationship between two persons ends with beautiful relationship i.e marriage which includes unconditional love, understanding between partners, family value and dedication towards one person but in modern period it has changed to lust, physical intimacy with less emotional value. Relationship can also be marked by insecurity, jealousy and confusion. Every relationship needs mutual respect, understanding and consent rather than physical Intimacy. Love Relationship changed from long distance relationship to Live-in-Relationship. Teenagers who are also called as Gen Z are adopting foreign culture like Dating, Hook-ups and Live-In-Relationship. In today's world value of relationship is changed to sexual curiosity within a relationship, physical intimacy and also unbothered attitude of "Bygones are Bygones" after losing virginity in relationship. Sexual relationship between teenagers with consent becomes complicated when they are minor. Consensual relationships between teenagers (Especially when both are below 16) are criminalized, potentially leading to misuse and injustice. This Article is to review on change in Love relationship among teenagers and misuses of law in 'Consent' Sexual Relationship*

**Keywords:** Consensual Relationship, Teenagers, Sexual Relationship and POSCO

## I. INTRODUCTION

Our world is developing from day to day and makes us marvel at what mankind is capable of (Ioana-Ruxandra Cazan, 2024). The modern times the whole thing starts from a friendship then when they pass the friendship zone, they enter the long-term relationship (Parima Prashant Gangurde & Dr. Pratibha Mehetre, 2023). Romantic Love, Commitment and Marriage in Emerging Adulthood in an Indian Context (Ishita Sinha & Ritwik Singh, 2023). As social media has grown in popularity, people across the world are communicating through digital interfaces in new ways that may replace traditional interactions (Meghan Isaf, 2020). Social media has sparked a global conversation on its many widely debated positive and negative influences on society (Meghan Isaf, 2020). Healthy human relationships are built on the foundation of consensual partnerships, which are defined by mutual understanding and agreement between persons (Sunil Sudhakar Varnekar & Dr. Upankar Chutia, 2024). Sexual behaviour in adolescents, particularly from the onset of puberty, is widely established as being natural, normative, and an integral part of adolescent development and their transition into adults. With these changes with modern exposure to the world the ways of engaging them in these relationships have also changed in modern times (Parima Prashant Gangurde & Dr. Pratibha Mehetre, 2023). Youth are often preoccupied with crushes, romantic fantasies, and curiosity about sex (Connolly *et al.*, 2023). Apart from disagreements and biased remarks, various studies have cited issues related to minors engaging in consensual sex (Rahul Chatwal, 2025). Consensual relationships between teenagers (Especially when both are below 16) are criminalized, potentially leading to misuse and injustice (Lamiya Sultana, 2025).

In India, The Protection of Children from Sexual Offences (POCSO) Act was implemented to safeguard minors from sexual abuse and exploitation (Nishanthi Susanth & Megha Santhosh, 2024). There are no gender-specific limits or requirements for both parties' consent while forming a romantic relationship. However, the statute's gender-neutral notion is frequently broken (Rahul Chatwal, 2025). The Protection of Children from Sexual Offences Act, 2012 (POCSO Act) prohibits sexual engagement in romantic relationships within the age of 16-18 years (Srushti Shukla *et*



*al.*, 2024). While POCSO is gender-neutral legislation the gender biases to protect minor girls from sexual abuse than minor boys are very well evident (Somansh Sharma, 2023). Whether the boy is below 18 years or above 18 years, most often, legal actions would be taken against him, and girls would be considered as the victims (Veenashree Anchan *et al.*, 2020). In many cases in which the victim admitted to a relationship with the accused (Swagata Raha, 2022). In the POCSO Act of 2012, even in cases of ‘consent’ or consensual relationships the police arrested the accused and the court does not grant anticipatory bail. The POCSO Act was passed & implicated to protect minors from sexual assault, sexual harassment, and pornography. Often it can be seen that a minor is booked for involving in consensual sex with another minor (Richard Allwin Raj S T, 2023). Often sex between consent sexual relationship leads to a pregnancy. While adolescent pregnancy has declined dramatically, many teens become pregnant (Jasmine Feng & Karen Schantz, 2025). Furthermore, anonymous reporting is to be done even in cases of consensual sexual relationship (Nanditta Batra, 2024). There is a strong value attached to premarital sex, and it is considered as a sin against the value system (Veenashree Anchan *et al.*, 2020). This current study analyses the modern changes in the romantic relationship dynamics of this age range. This research tried to focus on modern changes in romantic relationship (Parima Prashant Gangurde & Dr. Pratibha Mehetre, 2023).

## **II. TEENAGER IN CONSENSUAL SEXUAL RELATIONSHIP**

Relationships that are characterised by mutual respect, understanding, and consent are referred to as consensual relationship (Sunil Sudhakar Varnekar & Dr. Upankar Chutia, 2024). In the ever-changing 21st century, a new generation has emerged that is ready to change the way we see and interact with others (Ioana-Ruxandra Cazan, 2024). With the advent of social media, Generation Z is experiencing an unprecedented climate of virtually navigated dating experiences (Meghan Isaf, 2020). Modern relationship like online dating, friends with benefits, live-in relationships, situation ships are analysed in this study (Parima Prashant Gangurde & Dr. Pratibha Mehetre, 2023). Youthful relationships shape personal values toward romance, intimate relationships, and sexuality (Boisvert *et al.*, 2023) Kansky & Allen, 2018). However, they can also be marked by insecurity, jealousy, and confusion (Bhagwat Mahajan, 2023). In an era of stress and challenges to mental health, caring romantic partners are also a source of emotional support (Jasmine Feng and Karen Schantz, 2025). The role of romantic relationships as a source of support and identity formation may be especially important for sexual minority youth, who are often compelled by social norms to keep their sexual orientation secret from family and friends (Jasmine Feng and Karen Schantz, 2025). The youth is dealing with attachment issues which lead them to undertaking live – in relationship as their option (Parima Prashant Gangurde & Dr. Pratibha Mehetre, 2023). However, social media also creates many issues around jealousy and trust and makes it easy for people to talk to numerous romantic prospects at once, which can lead to shallower connections. Several participants mentioned the phenomenon of “hiding behind a keyboard,” making it difficult to tell someone’s true personality or intentions (Meghan Isaf, 2020).

It’s important to note that the specifics of these legal features can vary widely depending on the jurisdiction and the circumstances of the relationship (Bhagwat Mahajan, 2023). Legal definitions for many types of sexual abuse were lacking (Dr. Govind Yadav and Sheikh Inam Ul Mansoor, 2018). Under this Act, however it is proposed that any consensual sexual between consenting adolescents act should not be an offence. (Dr. Khushboo R. Hotchandani, 2018). It seeks to determine how many cases are baseless, leading to injustice for the accused (Lamiya Sultana, 2024). The Act safeguards the rights and interests of the child through child friendly judicial proceedings for speedy disposal of justice (Somansh Sharma, 2023). A 2018 survey of more than 4,000 college students found that only 14% of students desired relationships consisting of casual sex, defined as “friends with benefits,” and only 11% desired hook-ups, defined as “sexual encounters with no expectations attached” (Meghan Isaf, 2020). The issues of sexual fantasies and masturbation are common among them. In any relationship, consent plays an important role, if one person is underage or unable to give informed consent, it can lead to legal consequences for the other person (Bhagwat Mahajan, 2023).



### **III. ADOLESCENT CONSENT IN SEXUAL RELATIONSHIPS: ETHICAL AND LEGAL FRAMEWORKS**

Every good habit begins at home, according to the theory that a child's mother is their first teacher (Dr.V. Thangavel, 2023). By teaching youth to recognize healthy and unhealthy behaviors, and helping youth develop the interpersonal skills needed to create positive relationships (Jasmine Feng and Karen Schantz, 2025). Teenagers also need to follow some laws for safe and healthy relationships (Bhagwat Mahajan, 2023). It is extremely common amongst the adolescents to engage in romantic relationship since it holds a paramount developmental significance in respect of a teenager's social as well as psychological development (Ishita Sinha and Ritwik Singh, 2023). All persons, including children, are entitled to the right to dignity and privacy and these rights also apply in the context of their personal relationships (Swagata Raha, 2022). Researcher Emily Hielscher and colleagues propose that a healthy romantic relationship is "characterised by strong communication and negotiation skills, caregiving behaviors, self-expression, respect, trust, honesty, and fairness" (Hielscher *et al.*, 2021). The more sustainable course of action would be to empower and educate them about sexual and reproductive health, as well as navigating the internet safely (Saundarya D Nair & Priyasha Pattnaik, 2025). There are provisions in the Constitution for the protection of young children from abuse and neglect, as well as ensuring that they have access to a wide range of educational and recreational activities in order to help them grow into healthy adults (Dr. Govind Yadav and Sheikh Inam Ul Mansoor, 2018). The ultimate decision of selecting a life partner within the goodness of fit pattern of the family network would be vested on the parents or other significant members in the family (Veenashree Anchan *et al.*, 2021).

### **IV. POSCO: THE PROTECTION OF CHILDREN FROM SEXUAL OFFENCES ACT**

The Protection of Children from Sexual Offences (POCSO) Act was implemented to safeguard minors from sexual abuse and exploitation (Nishanthi Susanth and Megha Santhosh, 2024). The major role of this Act is to give punishment to the offender who committed the sexual abuse or sexual harassment against children (KG Siva Raja Sreethar and R Thilagaraj, 2025). Strengthening the legal framework the government has taken steps to strengthen the legal framework to ensure the effective implementation of the POCSO Act (Nishanthi Susanth and Megha Santhosh, 2024). The criminalisation of adolescents and young people and their entanglement in the criminal justice and juvenile justice systems necessitates a review of the existing legislative framework (Swagata Raha, 2022). According to the POCSO Act, the minors are the people under age of 18 and their consent can be seen as legally not binding. However, this has been inconsistent in courts (Richard Allwin Raj S T, 2023). However, currently this has become a matter of question as more than dealing with the actual cases of sexual harassments the Act seems to be regulating the adolescent sexuality (Ishita Sinha and Ritwik Singh, 2023). The teenagers aged "13-19 years indicated some sexual closeness with their love relationship in most answers. From a normative legislative point of view, it is considered deviant because they lack the legal capacity to give consent; minors under the age of eighteen are always subject to the POCSO Act (Rahul Chatwal, 2025). The study will investigate how society might exploit the POCSO Act as a tool for personal revenge (Lamiya Sultana, 2025). When it comes to the same adolescents' sexual agency, the law treats them as a homogenous group, denying their capacity to consent as "totally meaningless" (Saundarya D Nair & Priyasha Pattnaik, 2025).

### **V. WHEN PROTECTION LEADS TO PERSECUTION: EXAMINING FALSE CLAIMS IN POSCO CASES**

False allegations under POCSO have increased, often harming accused individuals through prolonged custody (Lamiya Sultana, 2025). The POCSO Act has a significant impact on consensual relationships, mainly when the people involved are under the age of consent. Therefore, understanding the act's legal ramifications is critical for guaranteeing compliance with the law and effectively structuring consensual relationships (Rahul Chatwal, 2025). Under this Act, however it is proposed that any consensual sexual between consenting adolescents act should not be an offence (Dr. Khushboo R. Hotchandani, 2018). In case of K v The Principal Secretary, Health and Family Welfare Department, Govt of NCT, Delhi the petitioner's minor daughter, aged 16 years, was pregnant due to a consensual sexual relationship. No doctor, government or private, was ready to terminate the pregnancy of the petitioner's daughter without reporting the offence to the police. Admittedly, neither the girl nor her mother wanted a criminal case. It was only after the High Court of Delhi's direction that the medical termination of pregnancy of the petitioner's daughter was performed (Nanditta Batra, 2024).



It was found that the POCSO Act is very useful for the protection of children without any discrimination as it is a neutral act for both the boy as well as the girl children (Nishanthi Susanth and Megha Santhosh, 2024). They realised that the criminalisation of all sexual activity under eighteen would bring innocent young adults within the ambit of the POCSO (Prem Vinod Parwani, 2023). Young individuals at the bottleneck of adulthood must be supported and guided to navigate such complex situations, and should not be branded as victims or accused (Shukla *et al.*, 2024). Even when boys are the younger partners, they are rarely recognized as victims, leading to underreporting and leniency (Saundarya D Nair & Priyasha Pattnaik, 2025). They frequently encounter conflicts when handling cases involving consensual sex, such as a conflict between their moral duty to persuade the families to plan the adolescents' futures by societal norms and their professional obligations to fulfill legal mandates (Rahul Chatwal, 2025).

Laws should always help people. Recent studies have also pointed out that conflation of sexual abuse with consensual sexual activity is injustice of the gravest nature (Nanditta Batra, 2024). The article likewise inclines dominantly towards examining women as survivors, just momentarily recognizing that men can likewise be casualties of rape. The discussion would have been more balanced if the challenges faced by male survivors and the legal framework surrounding their consent had been addressed more inclusively (Ishita Sinha and Ritwik Sing, 2023). One memorable case involved a 17-year-old boy accused of rape under the POCSO Act due to his consensual relationship with his 16-year-old girlfriend. Despite familial support for the relationship, the legal proceedings were deeply traumatic for both parties involved. The survey's findings resonate deeply with such experiences, emphasizing the urgent need to distinguish between consensual interactions and exploitative situations (Lamiya Sultana, 2025). Numerous convicts, some of whom were innocent when they were detained under the POCSO Act, are incarcerated for months on end without access to regular trials, release, or bail (Dr.V. Thangavel, 2023). This social reality of adolescents being sexually active has led to at least 17 High Courts across the country quashing cases of consensual relationships under the POCSO Act (The Hindu, 2025). Somewhere in the juggle between the consensual sexual act and the POCSO mandates, there are higher possibilities of it being not able to serve justice to the real cases of sexual assault due to various reasons, including misuse of the law (Veenashree Anchan *et al.*, 2021).

Landmark cases such as State of Karnataka v. Krishnappa and Sakshi v. Union of India played a pivotal role in interpreting and strengthening the provisions of POCSO. These cases highlighted critical issues such as the importance of consent and the need for a child-sensitive judicial process (Ms. Rinki Yadav, 2022). In Vikramsinh Champaksinh Parmar v State of Gujarat (2020) involved sexual intercourse between a 16-year-old girl and a minor boy. In this case, the girl was made the victim and the boy was categorised as a child in conflict with the law despite the gender neutrality of the POCSO (Somansh Sharma, 2023).

## **VI. CONCLUSION**

The Article is to review about change in relationship among Gen Z. Today's generation are most fast to adopt the western culture. Relationship has become modern as casual sexuality, physical intimacy, dating and live-in-relationship; they can also be marked by insecurity, jealousy and confusion. Teenager is most influenced by social media. It has positive and negative influence on society. In Present world friendship is turning to Consensual Relationship very quickly. There is strong value attached to premarital sex and against traditional value system of society. Consensual relationship between teenage is common. Consent plays vital role in every relationship. Consent sexual relationship has become complicated when teenager are minor. Applicability of law becomes difficult when teenagers are minors. The Protection of Children from Sexual Offences (POCSO) Act was implemented to safeguard minors from sexual abuse and exploitation. The major role of this Act is to give punishment to the offender who committed the sexual abuse or sexual harassment against children but false allegations under POSCO act has increased which also often harm accused.

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