
ANALYSIS OF ACID ATTACKS

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ABSTRACT

In India, crimes are increasing day by day. One of the most important heinous crimes that has been committed all over India against women and children is acid attacks. In this act, the victims have experienced discrimination for their whole life. This article states the acid attack laws and also discusses recent cases.

Introduction:

I want to express my opinion about the acid attacks that are happening against women in India. And to discuss the laws that provide remedies for victims and the recent incident of an acid attack.

Acid attack definition:

“Prevention of Offences (by Acids) Act 2008,(National Commission for Woman – Draft Bill)” constitutes the definition of Acid Attacks and Acid.

According to Section 3 of said Act:

“Acid” shall mean and includes any substance which has the character of acidic or corrosive or burning nature that is capable of causing bodily injuries leading to scars or disfigurement or temporary or permanent disability.

Acid attack meaning:

Acid attacks involve the use of acid or other corrosive substances on the body of any person. These attacks are done with the intention of disfiguring, torturing, or killing. It is a form of violence usually done against women and girls. It is a heinous crime in our society. It is also called "gender-based crime". In these attacks, sulfuric and nitric acid are the most commonly used acids. Sometimes hydrochloric acid is also used, but it causes less damage than sulfuric acid. These acid

attacks are mostly done in the face of the women; they cause immediate skin damage and also cause blindness, permanent scars, mental distress, and long-lasting medical complications.

Reason for an acid attack:

The most common causes of acid attacks in India are:

1. Denial of sex
2. Refusing marriages
3. non-acceptance of love
4. Gender-based discrimination
5. Unawareness of laws
6. non-strictness of the law

Acid attack case report:

According to India's National Crime Records Bureau data, more than 1,000 cases were reported in India between 2017 and 2021. In 2019, 249 attacks and 67 attempted attacks were reported; in 2021, 176 attacks and 73 attempted attacks were reported.

Laws for acid attacks:

Till 2013, acid attack cases were not treated as separate crimes. After the amendments in the IPC, there is now a separate section. In the Indian Penal Code, Section 326A, provides punishment for a person who commit an acid attack with a minimum imprisonment of 10 years, which may also be extended to lifelong imprisonment along with a fine.

According to 326 B of Indian Penal Code, the person who attempts to commit acid attack shall be provided with punishment of term not less than 5 years which may extend to seven years imprisonment along with fine.

Before Amendment of this sections some other sections are used and now some in that also used depending on crime committed or upon criminal intention. They are:

Section 325 of Indian Penal Code, provides that if any person causes grievous hurt to victim shall be punished with imprisonment of period up to 7 years and also with fine.

Section 302 of Indian Penal Code, applies if an acid attack leads to death of the victim.

The law also provides punishment to the person failing to provide victims with treatment is punishable by up to one year and for decline to file an FIR is punishable by up to two years of imprisonment.

Laws for acid sales:

Following the landmark case of Laxmi Agarwal, the Supreme Court banned the sale of acids across the country in 2013. The Supreme Court also provided guidelines, making a license mandatory for the sale of acid. Shops should be registered under the Poison Act 1919, and buyers should also provide an ID card to buy the acid and disclose the reason for doing this. Acids cannot be sold to anyone below 18 years of age.

Compensation for victims:

For the victims of acid attack, compensation is provided in two ways:

- By Government
- By fines imposed on offenders

Provisions dealing with compensation of victims:

Section 357A of CrPC, deals with Compensation scheme for victims. This scheme provides funds for victim rehabilitation.

Section 357B of CrPC, deals with Compensation provided by State Government along with fine of offenders.

Section 357C of CrPC, deals with treatment for the victims and must immediately inform to the police officer about such incident.

Case study:

LAKSMI VS. UNION OF INDIA (2015) is about a girl named Lakshmi who was only 16 years old and was attacked by acid. This attack causes a refusal to accept a marriage proposal. Lakshmi filed a case demanding not only compensation but also the development of new laws and

amendment of laws relating to acid attacks. She also requested to complete ban on the sale of acids to common people in the market.

STATE OF MAHARASHTRA VS. ANKUR PANWAR (2019) concerns a 23-year-old nurse who worked at a hospital in Mumbai. The accused approached her for marriage, but she rejected it. He couldn't take rejection so he threw acid at her when she was on the train. As a result, she died. The court sentenced the culprit to death and imposed 5000 Rupees fine on the offender to the victim's parents.

Recent incidents:

The most recent acid attack occurred at Coimbatore District Court. In the incident, which happened around 10:45 a.m. in the waiting area of the first judicial magistrate court, The woman who was accused of a theft case appeared for trial proceedings; a witness for that case did not come, so she was asked to wait outside. At that time, her husband came with acid in a water bottle and threw the acid on his wife. After this, her husband was arrested under Section 326A of the IPC.

What the recent incident shows:

The recent incident has threatened society. The attack which was happened in the court made the people fear for their safety. The court is the place that provides justice to the people. But in such place the injustice which was happened against the women. This incident clearly shows the strictness of the law.

My views to prevent such crimes:

My opinion is that such crimes should be treated more seriously. There is a need for more severe punishment to create fear in the minds of offenders and to safeguard the life of women and girls. Delays in justice and the holes in law are also the reason for the increase in such crimes. So, priority must be shown in such cases and justice should be provided immediately.

Conclusion:

These attacks not only cause physical damage to the victim but also cause mental damage. It makes the victim's life hell. These attacks have spoiled many women's life. It makes it difficult for victims to work, or marry anyone. If the victims overcome such incidents people are not allowed

to lead an everyday life because of their appearances. So, the Government should adopt strict laws to end this horrible crime.

References:

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