

Women who offend a woman's modesty are also guilty under Section 354 of the IPC: Mumbai Court

The Court determined that even though the offence under Section 354 falls under the chapter "Criminal Force and Assault," it is not a sexual offence and would still apply to women.

A Mumbai court recently ruled [State of Maharashtra vs. Rovena @ Aadnya Amit Bhosle] that the offence of outraging a woman's modesty under Section 354 of the Indian Penal Code (IPC) need not necessarily involve a sexual act and that women can also be found guilty of the offence.

Metropolitan Magistrate MV Chavhan noted that because the offence under Section 354 falls under the chapter "Criminal Force and Assault," it is not a sexual offence.

As a result, the Court determined that either a man or a woman can commit the crime because any woman can physically harm another woman or use force against them with the intent to offend their modesty.

It thus found a woman guilty of violating the clause and gave her a one-year prison term.

In 2020, a First Information Report (FIR) was filed against the accused, alleging that she had verbally and physically abused the informant and torn her clothes in front of several witnesses on the property of their apartment complex.

According to the Court, either a man or a woman who had the required knowledge or intent would be guilty of the offence under Section 354.

As a result, the Court determined that the accused had violated Sections 323 and 354 of the IPC. She was given a one-year prison term and a ₹

6,000 fine because she had three children, the youngest of whom was only 1.5 years old.