Chapter VIII
DEFENCES COMMITTED BY JUVENILE DELINQUENTS

8.1 Offences against person

8.1.1 Murder

8.1.2 Suicide

8.1.3 Rape

8.1.4 Assault

8.1.5 Prostitution

8.2 Offences against property

8.3 Offences against Public Justice of State

8.4 Offences against prohibition and gambling

8.5 Miscellaneous

8.6 Caught under Tamil Nadu Children's Act
OFFENCES COMMITTED BY THE DELINQUENTS

Based on the offences committed, the juvenile court detains the young offenders under various Sections of the Indian Penal Code or the respective State Act, like the Tamil Nadu Children’s Act.

The following Table presents the various types of offences committed by the juvenile delinquents of the Special Homes for girls and boys respectively.

OFFENCE-WISE DISTRIBUTION OF DELINQUENTS 1988-89

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Types of offence</th>
<th>Girls</th>
<th>Boys</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Offence against person:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Murder</td>
<td>-</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Rape</td>
<td>-</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Assault</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Suicide</td>
<td>10</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Prostitution</td>
<td>5</td>
<td>-</td>
</tr>
<tr>
<td>2.</td>
<td>Offences against property</td>
<td>34</td>
<td>90</td>
</tr>
<tr>
<td>3.</td>
<td>Offences against Public Justice or State</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>4.</td>
<td>Offences like Gambling and Prohibition</td>
<td>2</td>
<td>10</td>
</tr>
<tr>
<td>5.</td>
<td>Miscellaneous</td>
<td>12</td>
<td>19</td>
</tr>
<tr>
<td>6.</td>
<td>Caught under Tamil Nadu Children’s Act</td>
<td>198</td>
<td>107</td>
</tr>
</tbody>
</table>

**TOTAL** 264 240

8.1 OFFENCES AGAINST PERSON

In the first category, offences against person include all offences that affect the human body or life. They include murder, homicide or attempt to commit suicide, rape and prostitution. These offences come under Sections 302, 304, 307 and 309. An attempt to commit murder comes under section 307. Under Section 309, the offence to attempt suicide is included.

8.1.1. Murder

The survey of girls and boys in their respective special Homes revealed that boys are more prone to become murderers because of their physical strength, callous attitude and impulsiveness in any provocative situation. Hence there were 10 cases of murder among the boys at Chengalpattu.

One case involved a young boy of fifteen years under Section 302. He looked very stubborn and was rude in his behaviour. But, when kept in the Remand Home during the period of trial, he became obedient. He was accused of having killed his father who had illicit relations with women and ill-treated his wife.
8.1.2 Suicide

The girls, on the other hand, were more prone to commit offences under Section 309. About ten girls in the Special Home at Purasawalkkam had attempted to commit suicide as they were desperate, abandoned by parents and relatives and ill-treated by in-laws.

8.1.3 Rape

There were two boys who were charged with the offence of rape. This offence comes under Section 376 of the Indian Penal Code. They had committed the offence for the sake of adventure and fun.

8.1.4 Assault

Under Section 354 an offence of brutal force and assault if found. Among girls, there were three cases of physical assault which were the outcome of stealing ornaments and vessels, while working as domestic maids.

There were only two boys who used force on a girl of ten years with an intent to outrage her modesty. The girl had developed traumatic tension after the incident. The boys, however, pleaded guilty and shy, unimpressive and
withdrawn and it was hard to believe that they are capable of committing such mean and aggressive acts.

8.1.5 Prostitution

There were five cases of girls who were enticed into prostitution earlier by their own relatives or pimps.

8.2 OFFENCES AGAINST PROPERTY

The offences against property can be of various types based on the severity of the offence if the value of the property is very high. In the case of girls the value of stolen property, was not more than a few thousands. They normally steal vessels, ornaments, clothes and eatables from the houses where they work or from the neighbour's houses. Among the boys, about ninety of them were either involved in theft and robbery in a building, train, shops, at the bus-stand, on the road or at public places. They also were charged with pick-pocketing at bus-stand, and other public places. Destruction of private property was also common. These juvenile offenders were found to have involved in offences under Sections 379, 380, 381, 454, and 457. These boys or girls committed these offences either individually or in a group.
It was observed that some of the first-time offenders were timid and admitted their guilt, while others would have committed two or three thefts earlier. These boys were in the initial stages of developing delinquent traits. They slowly develop a linking for easy methods of earning money and can become hardened deviants. They pretend to be innocent and do not admit their fault initially. Another category of offenders were those who do not move alone but in a gang. They were bold and united. Their common offence was pick-pocketing or stealing and hence do not easily admit their guilt. The boys who operate in gangs are likely to be protected by the professional criminals. These criminals select the occasions and situations for committing a crime securing the property and also facilitate their easy escape and disposal of stolen property in a cautious manner. In such cases, the police are aware of the gangs and hence must help the lawyers in taking an appropriate decision in the case of each juvenile.

Finally, there were the seasoned or hardened juvenile delinquents. They were total deviants and beyond social inhibitions. They have the habit of stealing and house-breaking. They do not like to study, learn to do any craft
or follow a disciplined life. They like to wander, become friends with adult offenders and watch people who could be made their victims. These juveniles when sent to correctional institutions must be watched carefully as they have a tendency to escape.

8.3 OFFENCES AGAINST PUBLIC JUSTICE OR STATE

Sections 114, 115, 147, 148 and 429 include offences against the State, Public Justice and some against property. If a boy is charged for abetment he either participated or encouraged or assists other boys in committing an offence. Under Section 147 and 148 if a person is engaged in rioting and armed with a deadly weapon, he can be arrested without warrant. The accused can be released on bail by the police or sent for hearing in the court.

Under the survey conducted on the boys and girls of the Special Homes at Chenglepatu and Purasawakkam, there were no such cases of offences against the State or Public Justice.
8.4 OFFENCES AGAINST PROHIBITION AND GAMBLING

In the category of offences against prohibition and gambling, there were about ten cases among boys and two cases among girls. There were six boys who were involved in gambling, frequent conflicts arise in gambling. Some boys (four of them) were involved in selling prohibited goods like opium and liquor.

Among girls, only two were engaged in the sale of illicit arrack.

8.5 MISCELLANEOUS

Under the miscellaneous types of offences, petty crimes such as breach of traffic rules, engaging in a violent scuffle, selling adulterated food and ticketless travel are included. About nineteen boys in the Special Home in Chengalpattu and twelve girls in the Special Home at Purasawakkam were involved in these miscellaneous offences. Ticketless travel was most common both among boys and girls.
8.6 CAUGHT UNDER TAMILNADU CHILDREN’S ACT

The juvenile delinquents caught under the Tamil Nadu Children’s Act belong to various cases. They may be found wandering aimlessly or with a view to commit an offence either at bus-stands, railway stations or in shops. These children are in need of protection and care. Section 29(1) deals with wagging and destitutes or orphans.

Section 30 pertains to child offenders who are uncontrollable. There are two main reasons which lead to such a situation. One is poverty and the other, lack of ability on the part of the parents to maintain their family. Parents or guardians of poor families approach the institutions run by the Government for admission of their girls. These children are not delinquents, but like to become delinquents due to bad company or exposure to moral danger.

Among the inmates of the Special Homes, about 107 boys and 198 girls belonged to this category under the Tamil Nadu Children’s Act.
Thus after having an insight into the various offences committed by the young offenders it is the responsibility of various social agencies - police, court, partents, gurdians and society in general to work for the effective reformation and rehabilitation of the accused young children.