

The place or to do  
any act.



**ASSIGN  
BUSTER**

The section is attracted when a minor girl under eighteen years of age is induced to go from any place or to do any act. The intention on the part of the offender must be that such girl may be forced or seduced to sexual intercourse with another person, or the offender must know that such girl is likely to be forced or seduced to illicit intercourse with another person.

The inducement may be by whatever means. Sections 366-A and 366-B were added by the Indian Penal Code (Amendment) Act, 1923 with a view to give effect to certain articles of the International Convention for the Suppression of the Traffic in Women and Children signed at Paris in 1910. The offence under this section is one of inducement with a particular object, and when after the inducement the offender offers the girl to several persons, a fresh offence is not committed at every fresh offer for sale. This section does not state as to whether the imprisonment is simple or rigorous, and this is a lacuna in the section. Where a woman who may not have attained the age of eighteen years earns her living by prostitution by offering herself to others promiscuously for money, and in her profession she is encouraged or assisted by the accused, the accused cannot be held guilty under this section until the requisite intention or knowledge is proved on his part.

Where the father of an unhappily married girl of less than eighteen years of age removes the girl from her husband's home and gives her in marriage to another man, it was held that the act of the father would amount to inducement under this section and he would be guilty of the offence, but the other man to whom the girl was married later on could not be convicted under this section because the object of the inducement to leave must be seduction by another person and not by the person who himself induced the

woman to leave. Where a minor married girl was forcibly taken away by the accused from the custody of her mother and raped and it was proved that she was fifteen years of age at the time of the incident, and the accused obtained a false affidavit from her as to her age and married her under threat and committed rape on her, it was held that the accused was guilty under sections 366-A and 376 of the Code even if consent on the part of the victim is proved.

The offence under section 366-A is cognizable, non-bailable and non-compoundable, and is triable by court of session.