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A CRITICAL STUDY ON PREVENTIVE LEGAL MEASURES AGAINST ACID ATTACKS IN INDIA WITH REFERENCE TO TAMIL NADU

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ABSTRACT

Acid violence is a serious socio-legal issue that affects the bodily integrity, dignity, mental health, and social life of survivors. In India, legal reforms after the Criminal Law (Amendment) Act, 2013, and later statutory developments under the Bharatiya Nyaya Sanhita, 2023 and the Bharatiya Nagarik Suraksha Sanhita, 2023, have attempted to create a stronger framework for punishment, prevention, compensation, and medical assistance. However, the continued occurrence of such offences shows that legal provisions alone are insufficient without effective enforcement and social awareness. This article studies the causes and consequences of acid attacks, examines the preventive legal framework, and analyses its practical effectiveness with special reference to Tamil Nadu. It further highlights challenges relating to acid sale regulation, victim compensation, rehabilitation, and institutional coordination. The article concludes that a combined approach involving strict enforcement, public awareness, gender sensitisation, and timely victim support is necessary to strengthen prevention and ensure meaningful justice for survivors.

Keywords: Acid Attacks, Criminal Law, Victim Compensation, Tamil Nadu, Legal Framework.

INTRODUCTION

Acid attacks represent one of the most brutal forms of violence, causing irreversible physical injuries, psychological trauma, and long-term social and economic consequences for victims.¹ These attacks are not merely individual criminal acts but reflect deeper social issues such as gender inequality, patriarchal attitudes, and the misuse of easily accessible corrosive

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¹ Law Commission of India, Proposal for the Inclusion of Acid Attacks as Specific Offences in the Indian Penal Code and a Law for Compensation for Victims of Crime (Report No 226, 2009).

substances. In India, the gravity of such offences has led to the development of a specialised legal framework aimed at prevention, punishment, and victim protection. The enactment of provisions under the Bharatiya Nyaya Sanhita, 2023 and the Bharatiya Nagarik Suraksha Sanhita, 2023, along with regulatory measures such as the Model Poisons Possession and Sale Rules, 2013, demonstrates a shift towards a more structured and preventive legal approach. These laws seek to control the availability of acid, impose stringent penalties on offenders, and ensure timely medical and financial support for victims. Additionally, welfare legislation plays a significant role in recognising acid attack survivors as persons with disabilities and providing rehabilitation and social security support. Despite these developments, the persistence of acid attacks highlights a gap between legal provisions and their effective implementation.² This issue is particularly evident at the state level, including Tamil Nadu, where challenges such as weak enforcement, lack of awareness, and socio-cultural factors continue to influence the occurrence of such crimes. This article therefore examines the social causes, legal framework, and state-specific challenges to evaluate the effectiveness of preventive measures against acid attacks in India.

2. SOCIAL CAUSES AND CONSEQUENCES OF ACID ATTACKS IN INDIA

Acid attacks represent a severe form of violence rooted in complex social and cultural factors.³ Understanding their underlying causes and far-reaching consequences is essential for developing effective preventive measures. This chapter examines the key social causes contributing to acid attacks and analyses their physical, psychological, social, and economic impact on victims.

2.1 Social Causes of Acid Attacks

Gender Inequality and Patriarchal Norms

Gender inequality and patriarchal norms remain a primary cause of acid attacks in India.⁴ Women who challenge traditional roles or assert independence are often targeted. Such attacks are used as a means to control or punish women, reflecting deep-rooted societal attitudes that reinforce male dominance and undervalue women's autonomy and dignity in both personal and

² Laxmi Agarwal and Alok Dixit, 'Campaign and Legal Reform against Acid Attacks in India' in Flavia Agnes and others (eds), *Women and Law in India* (Oxford University Press 2016).

³ Kanchan Mathur, *Countering Gender Violence: Initiatives Towards Collective Action in Rajasthan* (Sage 2004).

⁴ Shalu Nigam, *Women and Domestic Violence Law in India: A Quest for Justice* (Routledge 2021).

social spheres.

Rejection of Marriage or Romantic Proposals

Rejection of marriage or romantic advances frequently triggers acid attacks. Perpetrators often perceive refusal as a blow to their ego or honour, leading to acts of revenge. This reflects a lack of respect for individual autonomy and highlights how personal rejection can escalate into extreme violence in a society influenced by possessiveness and entitlement.

Domestic and Property Disputes

Domestic conflicts and property disputes also contribute to acid attacks. Disagreements within families over inheritance, finances, or relationships may escalate into violence. Acid is often used as a weapon to intimidate or harm individuals involved in such disputes, demonstrating how personal and economic tensions can lead to severe criminal acts.

Easy Availability of Acid

The easy availability of acid significantly contributes to such crimes. Corrosive substances are widely used for industrial and domestic purposes, making them accessible at low cost. Despite legal regulations, weak enforcement allows individuals to obtain acid without strict verification, increasing the likelihood of its misuse as a weapon in violent acts.

Dowry-Related Violence and Marital Conflicts

Dowry-related disputes and marital conflicts remain a major cause of acid attacks.⁵ Women are often targeted when dowry demands are not met or when marital disagreements arise. These attacks reflect deep-seated social practices and economic pressures within marriage, where violence is used as a means of control and punishment.

Cultural Notions of Honour and Revenge

Cultural notions of honour and revenge play a significant role in acid attacks. Individuals may resort to violence when they perceive their honour to be damaged. Acid is used to inflict permanent harm as a form of retaliation, reflecting societal attitudes that justify violence as a response to personal humiliation or conflict.

2.2 Social Consequences of Acid Attacks

Physical and Medical Consequences

Acid attacks cause severe physical injuries, including burns, disfigurement, and permanent disability. Victims often require extensive medical treatment, such as surgeries and rehabilitation. The long-term physical impact affects their daily functioning and overall quality

⁵ Ratanlal and Dhirajlal, *The Indian Penal Code* (36th edn, LexisNexis 2022).

of life, making recovery both painful and financially burdensome.

Psychological Trauma

Victims of acid attacks experience significant psychological trauma, including depression, anxiety, and post-traumatic stress.⁶ The sudden and violent nature of the attack, combined with permanent disfigurement, deeply affects mental health. Survivors often struggle with self-esteem, fear, and emotional distress, requiring long-term psychological support.

Social Stigma and Discrimination

Acid attack survivors frequently face social stigma and discrimination due to visible disfigurement.⁷ Society often reacts with prejudice or exclusion, limiting their opportunities in education, employment, and relationships. This social isolation further aggravates the suffering of victims and hinders their reintegration into normal life.

Economic Consequences

The economic impact of acid attacks is severe, as victims often lose their ability to work and face high medical expenses. Families may struggle to support long-term treatment and rehabilitation. Despite compensation schemes, financial assistance is often delayed or insufficient, leading to prolonged economic hardship for survivors.

3. LEGAL FRAMEWORK FOR PREVENTIVE MEASURES AGAINST ACID ATTACK

The legal framework addressing acid attacks in India focuses on prevention, punishment, and victim protection.⁸ Provisions under the Bharatiya Nyaya Sanhita, 2023 and Bharatiya Nagarik Suraksha Sanhita, 2023, along with regulatory measures, aim to control acid accessibility, ensure accountability, and provide timely support to victims, thereby strengthening preventive justice mechanisms.

3.1 Provisions under BNS (Bharatiya Nyaya Sanhita, 2023)

Section 124 – Acid Attack

Section 124 of the Bharatiya Nyaya Sanhita, 2023 criminalises acid attacks causing grievous injury or disfigurement. It prescribes stringent punishment, including imprisonment extending

⁶ Avon Global Center for Women and Justice, *Combating Acid Violence in Bangladesh, India and Cambodia* (Cornell Law School 2011).

⁷ Rupa Chanda and others, 'Acid Attack Violence and Medical Rehabilitation in India' (2018) 53(35) *Economic and Political Weekly* 48.

⁸ KD Gaur, *Textbook on Indian Penal Code* (7th edn, Universal Law Publishing 2020).

to life, along with a fine sufficient to cover medical expenses of the victim. This provision reflects a victim-centric approach and strengthens deterrence against acid-related violence.

Section 125 – Attempt to Acid Attack

Section 125 addresses attempts to commit acid attacks by penalising acts done with intent to cause harm using acid. Even in the absence of actual injury, liability arises based on intention. This provision plays a preventive role by targeting preparatory conduct and discouraging offenders before irreversible harm occurs.

Section 109 – Attempt to Murder

Section 109 of the Bharatiya Nyaya Sanhita applies in cases where acid attacks are carried out with the intention to cause death. Courts consider the nature of the act, severity of injuries, and circumstances to determine applicability. This provision ensures that highly dangerous acts are punished more severely.

Section 116 – Grievous Hurt

Section 116 of the Bharatiya Nyaya Sanhita defines grievous hurt, including permanent disfigurement, loss of bodily functions, and serious injuries. Acid attacks typically fall within this category due to their severe and lasting impact. This provision helps determine the gravity of harm and supports stricter punishment under criminal law.

3.2 Provisions under BNSS (Bharatiya Nagarik Suraksha Sanhita, 2023)

Section 396 – Victim Compensation Scheme

Section 396 of the BNSS provides for victim compensation schemes administered by State Governments. It ensures financial assistance to acid attack victims for medical treatment, rehabilitation, and recovery. This provision recognises the State's responsibility to support victims and promotes a victim-centric approach within the criminal justice system.

Section 397 – Free Medical Treatment

Section 397 mandates that all hospitals, including private institutions, provide immediate and free medical treatment to acid attack victims. This ensures timely care without financial or procedural barriers. The provision emphasises urgency in medical response and imposes a legal obligation on healthcare providers to assist victims.

3.3 Model Poisons Possession and Sale Rules, 2013

Regulatory Objective and Legal Background

The Model Poisons Possession and Sale Rules, 2013 were introduced following judicial

directions to regulate the unrestricted sale of acid.⁹ These rules aim to prevent acid attacks by controlling accessibility and ensuring accountability in the distribution of hazardous substances. They mark a shift from a purely punitive approach to a preventive legal framework addressing the root causes of acid violence.

Restrictions on Sale and Identity Verification

A key feature of the rules is the prohibition on sale of acid to minors and the requirement for purchasers to produce valid identity proof. These measures ensure that transactions are traceable and reduce anonymous access to acid. By imposing verification duties on sellers, the rules promote responsibility and help prevent misuse of corrosive substances.

Record Maintenance and Monitoring Mechanisms

The rules mandate that sellers maintain detailed records of acid transactions, including purchaser details and quantity sold. Additionally, vendors must submit periodic reports on acid stock to local authorities. These requirements enhance transparency and enable effective monitoring, allowing authorities to detect irregularities and trace sources in cases of misuse.

Enforcement and Practical Challenges

Penalties such as fines and licence cancellation are prescribed for non-compliance, encouraging adherence to the rules. However, challenges such as weak enforcement, lack of awareness, and inconsistent monitoring reduce effectiveness. Strengthening implementation through regular inspections and awareness programmes is essential for achieving meaningful prevention.

3.4 Protection under Disability and Welfare Laws

Recognition as Persons with Disabilities

Acid attack survivors often suffer permanent impairments such as burns, disfigurement, and loss of vision, bringing them within the scope of the Rights of Persons with Disabilities Act, 2016. This recognition shifts the perspective from victimhood to rights-based protection,¹⁰ enabling survivors to access statutory benefits and legal safeguards designed for persons with disabilities.

Healthcare and Rehabilitation Support

Survivors require long-term medical care, including surgeries and therapy. Welfare laws provide access to healthcare services and rehabilitation support, including psychological counselling. These measures help survivors recover physically and emotionally, addressing

⁹Laxmi v Union of India (2014) 4 SCC 427.

¹⁰ Amita Dhanda, Legal Order and Mental Disorder (Sage 2000).

trauma, restoring confidence, and enabling participation in social life despite lasting injuries.

Economic Assistance and Social Security

Disability pensions and financial aid schemes provide economic stability to survivors who may be unable to continue employment. These measures reduce financial hardship and support basic living needs, especially for economically weaker individuals undergoing prolonged treatment and recovery.

Challenges in Implementation

Despite legal protections, survivors face difficulties in accessing benefits due to lack of awareness, procedural delays, and social stigma. Simplifying processes, improving outreach, and strengthening administrative coordination are essential to ensure effective implementation of welfare provisions.

4. ACID ATTACKS IN TAMIL NADU: STATE-SPECIFIC ANALYSIS

4.1 Nature and Causes of Acid Attacks in Tamil Nadu

The nature and causes of acid attacks in Tamil Nadu are shaped by a combination of personal conflicts, socio-cultural conditions, and gaps in regulatory enforcement within the state. Although the number of reported cases appears relatively low compared to some other regions, this does not necessarily reflect the actual prevalence, as underreporting remains a concern, particularly in semi-urban and rural areas. In Tamil Nadu, many acid attacks arise from interpersonal disputes such as rejection of romantic or marriage proposals, domestic disagreements, and family conflicts. These incidents are often driven by motives of revenge, anger, or control, with perpetrators using acid to inflict permanent harm and humiliation. Gender continues to be a significant factor, with women constituting the majority of victims in the state.¹¹ This reflects the persistence of patriarchal attitudes and gender-based power imbalances in certain sections of society. Women, who assert independence, refuse relationships, or challenge traditional expectations may become targets of such violence. In addition to physical injuries, victims in Tamil Nadu frequently face social stigma, discrimination, and difficulties in accessing education and employment, especially in smaller communities. Another important factor specific to Tamil Nadu is the accessibility of acid through local markets and small-scale vendors. Although regulations require identity verification and record maintenance, enforcement at the ground level is often inconsistent. In

¹¹ Avon Global Center for Women and Justice, *Combating Acid Violence in Bangladesh, India and Cambodia* (Cornell Law School 2011).

smaller towns and industrial areas, acid used for cleaning and manufacturing purposes can be obtained with minimal scrutiny. Socio-economic conditions such as unemployment, lack of awareness, and limited understanding of legal consequences further contribute to such offences. Addressing acid attacks in Tamil Nadu therefore requires not only strict enforcement of laws but also greater awareness, community engagement, and efforts to promote gender equality and non-violent conflict resolution.

4.2 Case Studies and Ground-Level Realities

Madurai Acid Attack Case

The Madurai acid attack highlights the unpredictable nature of acid violence in Tamil Nadu, as the incident occurred in a public setting involving young women.¹² This challenges the assumption that such crimes are limited to private disputes. The case demonstrates the difficulty of preventing sudden attacks and emphasises the need for improved surveillance, policing, and community awareness. It also reveals gaps in regulating acid sales, as the perpetrator accessed acid easily despite existing legal restrictions.

Latha Acid Attack Case (Madras High Court)

The Latha Acid Attack Case, decided by the Madras High Court, highlights the gravity of acid violence and its long-term consequences on victims. The case involved a woman who suffered severe burn injuries after acid was thrown on her in a public setting. The Court recognised that such acts not only cause physical harm but also violate the victim's right to dignity and personal security. It emphasised the duty of the State to ensure proper investigation, timely medical treatment, and victim support.¹³ The judgment also stressed the importance of regulating acid sale and enforcing preventive measures effectively. This case reflects the judiciary's role in promoting accountability and ensuring protection of victims' rights.

Analysis of Case Patterns

Analysis of case patterns in Tamil Nadu reveals that women are the primary victims, often targeted due to personal or relational conflicts. Acid is used deliberately to cause permanent disfigurement and social exclusion. Easy availability of acid, combined with weak enforcement, facilitates such crimes. Delays in investigation, lack of immediate support, and socio-cultural factors further contribute to the persistence of acid attacks, indicating the need for stronger preventive strategies.

¹² *V Parthasarathy v The Government of Tamil Nadu* [2019] Madras High Court WP No 5126 of 2015

¹³ *Latha v The State of Tamil Nadu* (2025) CRL OP(MD) No 21593/2025 (Madras High Court)

4.3 Challenges in Prevention within Tamil Nadu

Weak Enforcement of Acid Sale Regulations

Despite the existence of a comprehensive legal framework, inconsistent enforcement remains a major challenge in Tamil Nadu. Regulations require vendors to verify identity and maintain records, but compliance is often weak, especially in informal markets and smaller establishments. Limited monitoring allows acid to be sold without proper checks, increasing the risk of misuse.

Lack of Awareness and Public Understanding

Another significant issue is the lack of awareness among vendors and the general public regarding legal restrictions and penalties. Many individuals are unaware of their responsibilities and the seriousness of acid-related offences. This reduces the deterrent effect of laws and contributes to continued violations, highlighting the need for awareness programmes and training initiatives.

Underreporting and Social Barriers

Underreporting remains a persistent concern in Tamil Nadu. Victims may hesitate to report incidents due to fear of retaliation, social stigma, or lack of confidence in the legal system. Family or community pressure may further discourage reporting, creating a gap between actual and recorded cases and affecting policy effectiveness.

Delays in Support and Institutional Coordination

Delays in compensation, medical treatment, and rehabilitation hinder effective response. Survivors require immediate and long-term assistance, but procedural inefficiencies often slow access to support. Weak coordination among authorities further reduces effectiveness, indicating the need for stronger enforcement, awareness, and integrated institutional efforts.

5. CONCLUSION

Acid attacks continue to represent one of the most grievous forms of violence in India, reflecting a complex intersection of legal, social, and cultural challenges. Despite the existence of a comprehensive legal framework, including Sections 326A and 326B introduced through the Criminal Law (Amendment) Act, 2013, along with victim-centric procedural provisions, the persistence of such crimes highlights a clear gap between legislative intent and practical implementation. While the law provides stringent punishment and mechanisms for compensation and medical support, its effectiveness largely depends on consistent enforcement. This study demonstrates that acid attacks are not merely legal issues but are

deeply rooted in social realities such as gender inequality, patriarchal attitudes, personal conflicts, and notions of honour and revenge. These factors cannot be addressed solely through penal measures. Additionally, the continued availability of acid, despite regulatory efforts, indicates weaknesses in monitoring and enforcement mechanisms. In the context of Tamil Nadu, although several initiatives such as victim compensation schemes and regulatory frameworks have been introduced, their impact is limited by practical challenges. Delays in compensation, lack of awareness, and weak enforcement reduce the effectiveness of these measures. These issues reflect broader systemic concerns, including administrative inefficiencies and lack of institutional coordination. Judicial intervention, particularly in *Laxmi v. Union of India*, has played a vital role in strengthening preventive measures.¹⁴ However, judicial directions alone are insufficient without active administrative implementation and societal support. Therefore, addressing acid attacks requires a comprehensive approach that combines legal enforcement, administrative efficiency, and social reform. Promoting gender equality, improving awareness, and ensuring timely support to victims are essential. Ultimately, meaningful prevention and protection can only be achieved through sustained efforts to bridge the gap between law and practice.

¹⁴ *Laxmi v Union of India* (2014) 4 SCC 427.