

ACT No. XXIX OF 1925.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 23rd
September, 1925.)

An Act further to amend the Indian Penal Code.

WHEREAS it is expedient further to amend the Indian Penal Code; It is hereby enacted as follows:—

1. This Act may be called the Indian Penal Code (Amendment) Act, 1925. Short title.

2. In section 375 of the Indian Penal Code (hereinafter referred to as the said Code), in clause *Fifthly* for the word "twelve" the word "fourteen" shall be substituted, and in the *Exception* for the word "twelve" the word "thirteen" shall be substituted. Amendment of section 375, Act XLV of 1860.

3. To section 376 of the said Code the following shall be added, namely:— Amendment of section 376, Act XLV of 1860.

" unless the woman raped is his own wife and is not under twelve years of age, in which case he shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both."

4. Notwithstanding anything contained in section 2 sexual intercourse by a man with his own wife is not rape although the wife has not attained the age of thirteen years, if he was married to her before the date on which this Act comes into operation and she had attained the age of twelve years on that date. Sexual intercourse not rape in certain circumstances;

5. In Schedule II to the Code of Criminal Procedure, 1898, for the entries against section 376 the following entries shall be substituted, namely:— Amendment of Schedule II Act V of 1898;

" *Of Rape.*

Price 1 anna or 1½d.]

"Of Rape.

376	Rape If the sexual intercourse was by a man with his own wife not being under 12 years of age.	Shall not arrest without warrant.	Summons.	Bailable.	Not compoundable.	Imprisonment of either description for 2 years, or fine, or both.	Court of Session, Chief Presidency Magistrate or District Magistrate.
	If the sexual intercourse was by a man with his own wife being under 12 years of age.	Shall not arrest without warrant.	Summons.	Bailable.	Not compoundable.	Transportation for life, or imprisonment of either description for 10 years, and fine.	Court of Session.
	In any other case.	May arrest without warrant.	Warrant.	Not bailable.	Not compoundable.	Transportation for life, or imprisonment of either description for 10 years, and fine.	Court of Session."