

Hurt

&

Grievous Hurt

- Chapter XVI - Of offences affecting the human body
- Of Hurt (ss 319-338)
 - Hurt
 - Grievous Hurt
- Voluntarily causing hurt/GH
- Voluntarily – Reason to believe
- Punishment for H&GH

Of Hurt

- **319 Hurt**
- Whoever causes **bodily pain, disease** or **infirmity** to any person is said to cause hurt.
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- **320 Grievous hurt**

- The following kinds of hurt only are designated as "grievous":

- **First.**-Emasculation — depriving male of masculine vigour

- **Secondly.**-Permanent privation of the **sight** of either eye.

- **Thirdly.**-Permanent privation of the **hearing** of either ear,

- **Fourthly.**-Privation of any member or **joint**.

- **Fifthly.**-Destruction or permanent **impairing** of the powers of any member or joint.
- **Sixthly.**-Permanent **disfiguration** of the head or face.
- **Seventhly.**-**Fracture** or **dislocation** of a bone or tooth.
- **Eighthly.**-Any hurt which **endangers life** or which causes the sufferer to be during the space of **twenty days** in severe bodily pain, or unable to follow his ordinary pursuits.

1. Endangers life
2. Severe bodily pain for 20 days
3. Unable to follow his ordinary pursuits (mere hospitalised - not enough)
4. Doesn't fall u/any of the above 7 cls

- **S. 321 Voluntarily causing hurt**
- Whoever does any act with the intention of thereby causing hurt to any person, or with the knowledge that he is likely thereby to cause hurt to any person, and does thereby cause hurt to any person, is said "voluntarily to cause hurt"

- **39 "Voluntarily"**
- A person is said to cause an effect "voluntarily" when he causes it by means whereby he **intended** to cause it, or by means which, at the time of employing those means, he **knew** or had **reason to believe** to be likely to cause it.
- **26 "Reason to believe"**
- A person is said to have "reason to believe" a thing, if he has **sufficient cause to believe** that thing but not otherwise.
- **Illustration**
- A sets **fire**, by night, to an inhabited house in a large town, for the purpose of **facilitating a robbery** and thus causes the **death** of a person. Here, A may **not have intended** to cause death; and may even be **sorry** that death has been caused by his act; yet, **if he knew** that he was likely to cause death, he has caused death **voluntarily**.

- **322 Voluntarily causing grievous hurt**
- Whoever voluntarily causes hurt, if the hurt which he **intends** to cause or **knows** himself to be likely to cause is grievous hurt, and if the hurt which he causes is grievous hurt, is said "voluntarily to cause grievous hurt."
- **Explanation.**-A person is not said **voluntarily** to cause grievous hurt except when he both **causes** grievous hurt and **intends or knows** himself to be likely to cause grievous hurt.
- But he is said voluntarily to cause grievous hurt, if intending or knowing himself to be likely to cause grievous hurt of **one kind**, he actually causes grievous hurt of another kind.
- **Illustration**
- A, intending or knowing himself to be likely permanently to disfigure Z's face, gives Z a blow which does not permanently disfigure Z's face, but which cause Z to suffer severe bodily pain for the space of twenty days. A has voluntarily caused grievous hurt.

- Sec. 323 - Punishment for voluntarily causing hurt
- ED – 1yr/F1000/B

- Sec. 325 - Punishment for voluntarily causing grievous hurt
- ED – 7yr/+F