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## **Decriminalization of Suicide in India**

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The authors wish to bring the readers' attention to the decriminalization of suicide. Death by suicide is a significant public health problem (Bilsen, 2018). Globally, more than 7,00,000 individuals die by suicide, and it is the fourth major cause of death for individuals aged 15-29 years (WHO, 2019). It is multifactorial; biological, psychosocial, and environmental factors are closely associated with suicide (Sreevani, 2016).

Suicide decriminalization can assist those suffering from mental illnesses in receiving care rather than punishment. According to the Mental Healthcare Act (2017), attempting suicide is not a crime; the act (section 115) explains that "any person who attempts suicide shall be presumed, unless proved otherwise, to have severe stress and shall not be tried and punished". The act further explains that the appropriate government must offer treatment, care, and rehabilitation to an individual having severe stress, and who attempted suicide, to prevent subsequent attempts (The Mental Healthcare Act, 2017).

Whereas, the Indian Penal Code (IPC), (section 309: "Attempt to commit suicide") says, "Whoever attempts to commit suicide and does any act towards the commission of such offence, shall be punished with simple imprisonment for a term which may extend to

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one year or with fine, or with both" (Indian Penal Code, 1860).

In India, individuals who have been hospitalized after attempting suicide should have a "medico-legal" stamp on their medical record file, which should be kept confidential. The Medical Superintendent needs to inform the police regarding the necessary process. Usually, police visit the hospital and collect necessary information regarding the suicide attempt from the person/family members (Aayushi, 2021). This process may be important, but due care needs to be taken so that it does not worsen the stigma.

To sum up, decriminalization of suicide may reduce the stigma related to suicide in society and reduce the incidence rate of suicide because it may help people to come forward and talk about suicide, and people who are at risk of suicide would be willing to ask for help from others as well as from mental health personnel. The act is also aiming at providing treatment, rather than considering attempting suicide as an offence and advocating punishments. Along with suicide decriminalization, there is a need for an awareness program on suicide prevention to reduce the number of suicide cases. Suicide should be viewed as a problem that requires treatment rather than punishment.

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#### References

Aayushi, P. (2021). Decriminalization of attempt of suicide–Legal service India.

Bilsen, J. (2018). Suicide and Youth: Risk Factors. Frontiers in psychiatry, 9 (October), 1-5. https://doi.org/10.3389/fpsyt.2018.00540.

Indian Penal Code (1860). Chapter XVI: Of offences

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- affecting the human body. Act 45 of 1860. Ministry of Law and Justice (2017). The Mental Healthcare Act, 2017. New Delhi.
- Sreevani, R. (2016). A Guide to mental health and psychiatric nursing. New Delhi: JAYPEE.
- World Health Organization (2019). Suicide worldwide in 2019: Global Health Estimates. World Health Organization, Geneva. <a href="https://www.who.int/publications/i/item/9789240026643">https://www.who.int/publications/i/item/9789240026643</a>.