Subject Name: Code of Criminal Procedure
Topic Name: Preventive Action under CrPC

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The Criminal Procedure Code (CrPC) empowers police officers with various preventive measures to ensure public safety and order. Sections 149, 150, 151, and additional provisions like Sections 152 and 153, outline the responsibilities and authorities granted to the police in preventing offences and protecting public property.

Section 149: Preventing Cognizable Offences

Section 149 of the CrPC authorizes police officers to intervene actively and prevent the commission of cognizable offences, which include serious crimes such as murder, rape, and kidnapping. This provision mandates that officers take all necessary steps to deter the occurrence of such crimes, ensuring immediate and proactive law enforcement.

Application in Public Protests

A notable application of Section 149 was during the CAA-NRC protests in Mumbai on February 8, 2020. The Mumbai Police issued notices to protestors at a sit-in in Nagpada for assembling without prior police permission, citing potential future disruptions to law and order. Some protestors reportedly refused to acknowledge these notices, highlighting the tensions between enforcement and civil liberties.

Section 150: Communication of Information Regarding Crimes

Under Section 150, any police officer who receives information about a design to commit a cognizable offence is required to inform their superior officers and any other appropriate authority. This ensures a coordinated response to prevent the offence, facilitating swift action and strategic planning.

Section 151: Arrest to Prevent Cognizable Offences

Section 151 provides police with the authority to arrest individuals without a warrant if they believe it is necessary to prevent a cognizable offence and there are no other means to do so effectively.

- Section 151(1): Allows for the arrest of a person involved in planning a cognizable offence if the officer deems that arresting the individual is the only viable method to prevent the crime.
- Section 151(2): Limits the detention of the arrested individual to no more than twenty-four hours unless an extension is authorised by a magistrate. This safeguard balances preventive action with individual rights.

Prevention of Injury to Public Property (Section 152)

This section permits police intervention to prevent damage to public property. Actions covered include attempts to destroy or alter public landmarks or navigation marks, safeguarding infrastructure and ensuring public safety.

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Inspection of Weights and Measures (Section 153)

Section 153 focuses on the accuracy of weights and measures. Police officers, particularly those in charge of a station or of a certain rank, are empowered to inspect premises within their jurisdiction if there is suspicion of fraudulent practices involving weights and measures.

Conditions for Inspection

- Inspections must be conducted within the local jurisdiction of the police station.
- Only officers of or above the rank of Sub-inspector are permitted to carry out these searches.
- All procedures stipulated in Section 103 of the CrPC must be followed.
- There must be reasonable grounds for suspicion that false weights or measures are being used with the intent to deceive.


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