

Singapore

Penal Code, 1985

Wrongful restraint and wrongful confinement.

Wrongful restraint.

339. Whoever voluntarily obstructs any person, so as to prevent that person from proceeding in any direction in which that person has a right to proceed, is said wrongfully to restrain that person.

Exception.

The obstruction of a private way over land or water which a person in good faith believes himself to have a lawful right to obstruct, is not an offence within the meaning of this section.

Illustration

A obstructs a path along which Z has a right to pass, A not believing in good faith that he has a right to stop the path. Z is thereby prevented from passing. A wrongfully restrains Z.

Wrongful confinement.

340. Whoever wrongfully restrains any person in such a manner as to prevent that person from proceeding beyond certain circumscribing limits, is said "wrongfully to confine" that person.

Illustrations

(a) A causes Z to go within a walled space, and locks Z in. Z is thus prevented from proceeding in any direction beyond the circumscribing line of wall. A wrongfully confines Z.

(b) A places men with firearms at the outlets of a building and tells Z that they will fire at Z if Z attempts to leave the building. A wrongfully confines Z.

Punishment for wrongful restraint.

341. Whoever wrongfully restrains any person shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to \$500, or with both.

Punishment for wrongful confinement.

342. Whoever wrongfully confines any person shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to \$1,000, or with both.

Wrongful confinement for 3 or more days.

343. Whoever wrongfully confines any person for 3 days or more, shall be punished with imprisonment for a term which may extend to 2 years, or with fine, or with both.

Wrongful confinement for 10 or more days.

344. Whoever wrongfully confines any person for 10 days or more, shall be punished with imprisonment for a term which may extend to 3 years, and shall also be liable to fine.

Wrongful confinement of person for whose liberation a writ has been issued.

345. Whoever keeps any person in wrongful confinement, knowing that a writ for the liberation of that person has been duly issued, shall be punished with imprisonment for a term which may extend to 2 years, in addition to any term of imprisonment to which he may be liable under any other section of this Code.

Wrongful confinement in secret.

346. Whoever wrongfully confines any person in such a manner as to indicate an intention that the confinement of that person may not be known to any person interested in the person so confined, or to any public servant, or that the place of such confinement may not be known to or

discovered by any such person or public servant as hereinbefore mentioned, shall be punished with imprisonment for a term which may extend to 2 years, in addition to any other punishment to which he may be liable for such wrongful confinement.

Wrongful confinement for the purpose of extorting property or constraining to an illegal act.

347. Whoever wrongfully confines any person for the purpose of extorting from the person confined, or from any person interested in the person confined, any property or valuable security, or of constraining the person confined, or any person interested in such person, to do anything illegal or to give any information which may facilitate the commission of an offence, shall be punished with imprisonment for a term which may extend to 3 years, and shall also be liable to fine.

Wrongful confinement for the purpose of extorting confession or of compelling restoration of property.

348. Whoever wrongfully confines any person for the purpose of extorting from the person confined, or from any person interested in the person confined, any confession or any information which may lead to the detection of an offence or misconduct, or for the purpose of constraining the person confined, or any person interested in the person confined, to restore, or to cause the restoration of any property or valuable security, or to satisfy any claim or demand, or to give information which may lead to the restoration of any property or valuable security, shall be punished with imprisonment for a term which may extend to 3 years, and shall also be liable to fine.

Assault or criminal force in attempting wrongfully to confine a person.

357. Whoever assaults or uses criminal force to any person, in attempting wrongfully to confine that person, shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to \$1,000, or with both.

Kidnapping, abduction, slavery and forced labour.

Kidnapping.

359. Kidnapping is of two kinds: kidnapping from Singapore, and kidnapping from lawful guardianship.

Kidnapping from Singapore.

360. Whoever conveys any person beyond the limits of Singapore without the consent of that person, or of some person legally authorised to consent on behalf of that person, is said to kidnap that person from Singapore.

Kidnapping from lawful guardianship.

361. Whoever takes or entices any minor under 14 years of age if a male, or under 16 years of age if a female, or any person of unsound mind, out of the keeping of the lawful guardian of such minor or person of unsound mind, without the consent of such guardian, is said to kidnap such minor or person from lawful guardianship.

Explanation.

The words "lawful guardian" in this section include any person lawfully entrusted with the care or custody of such minor or other person.

Exception.

This section does not extend to the act of any person who in good faith believes himself to be the father of an illegitimate child or who in good faith believes himself to be entitled to the lawful custody of such child, unless such act is committed for an immoral or unlawful purpose.

Abduction.

362. Whoever by force compels, or by any deceitful means induces any person to go from any place, is said to abduct that person.

Punishment for kidnapping.

363. Whoever kidnaps any person from Singapore or from lawful guardianship, shall be punished with imprisonment for a term which may extend to 10 years, and shall also be liable to fine or to caning.

Kidnapping or abducting in order to murder.

364. Whoever kidnaps or abducts any person in order that such person may be murdered, or may be so disposed of as to be put in danger of being murdered, shall be punished with death or imprisonment for life and shall, if he is not sentenced to death, also be liable to caning.

Illustrations

(a) A kidnaps Z from Singapore, intending or knowing it to be likely that Z may be sacrificed to an idol. A has committed the offence defined in this section.

(b) A forcibly carries or entices B away from his home in order that B may be murdered. A has committed the offence defined in this section.

Kidnapping or abducting with intent secretly and wrongfully to confine a person.

365. Whoever kidnaps or abducts any person with intent to cause that person to be secretly and wrongfully confined, shall be punished with imprisonment for a term which may extend to 10 years, and shall also be liable to fine or to caning.

Kidnapping or abducting a woman to compel her marriage, etc.

366. Whoever kidnaps or abducts any woman with intent that she may be compelled, or knowing it to be likely that she will be compelled to marry any person against her will, or in order that she may be forced or seduced to illicit intercourse, or to a life of prostitution, or knowing it to be likely that she will be forced or seduced to illicit intercourse, or to a life of prostitution, shall be punished with imprisonment for a term which may extend to 10 years, and shall also be liable to fine or to caning.

Kidnapping or abducting in order to subject a person to grievous hurt, slavery, etc.

367. Whoever kidnaps or abducts any person in order that such person may be subjected, or may be so disposed of as to be put in danger of being subjected to grievous hurt or slavery, or to the unnatural lust of any person, or knowing it to be likely that such person will be so subjected or disposed of, shall be punished with imprisonment for a term which may extend to 10 years, and shall also be liable to fine or to caning.

Wrongfully concealing or keeping in confinement a kidnapped person.

368. Whoever, knowing that any person has been kidnapped or has been abducted, wrongfully conceals or keeps such person in confinement, shall be punished in the same manner as if he had kidnapped or abducted such person with the same intention or knowledge or for the same purpose as that with or for which he conceals or detains such person in confinement.