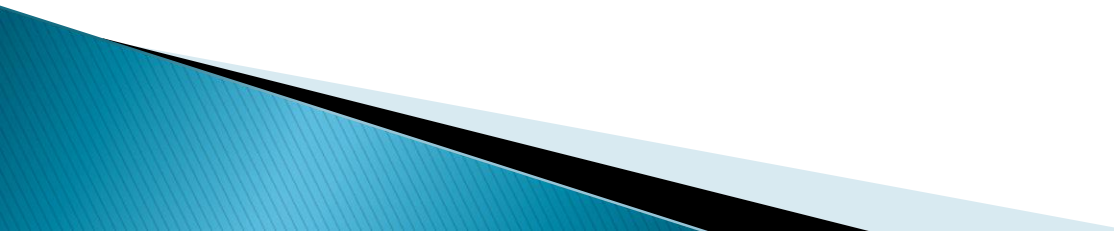


OUTLINES OF INDIAN PENAL CODE

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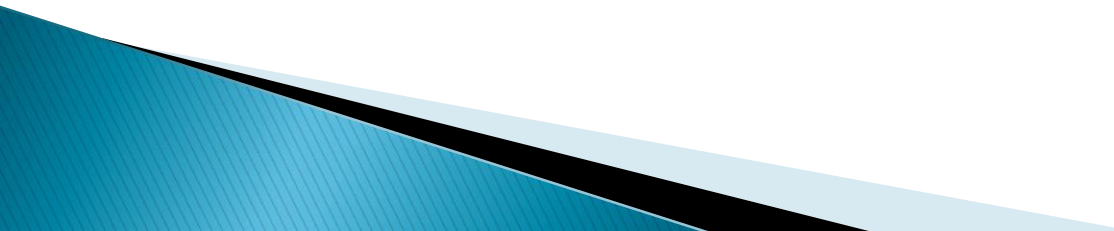
Introduction

- ▶ **No criminal law may be found in uncivilized society.**
 - ▶ **A state may exist without constitutional law but not without criminal law.**
 - ▶ **proper understanding of changing texture of crimes and methods of controlling them is essential and inevitable.**
 - ▶ **A need to study the socio-economic and political undercurrents of the crimes.**
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Type of crimes		Duration of Commission of Crime	Number of Crime
1	Violent crimes		Number of Crime
1	Murder	Every 16 Minutes	One
2	Attempt to commit Murder	Every 19 Minutes	One
3	Culpable Homicide not Amounting to murder	Every 2 Hours	one
4	Rape	Every 29 Minutes	One
5	Kidnapping and Abduction	Every 23 Minutes	One
6	Dacoity (Gang Robbery)	Every 2 Hours	One
7	Preparation and assembly for Dacoity	Every 3 Hours	One
8	Robbery	Every 30Minutes	One
9	Riots	Every 9 minutes	One
10	Arson	Every 1 Hours	One

Type of crimes		Duration of Commission of Crime	Number of Crime
III	Property crime	Every Minute	One
15	Burglary	Every 6 Minutes	One
16	Theft	Every 2 Minutes	One
IV	Other IPC crime	-----	-----
17	Molestation	Every 15 Minutes	One
18	Sexual Harassment	Every 53 Minutes	One
19	Cruelty by Husband or Relatives	Every 9 Minutes	One
20	Death due to Negligence	Every 8.5 Minutes	One
21	Hurt	Every 1 Minutes	One
V	Crimes committed Against Women	Every 3 Minutes	One
VI	Crimes Committed Against SC	Every 20 Minutes	One
VII	Crimes Committed Against ST	Every 92 Minutes	One

CONCEPT OF CRIME

- ▶ The term “crime” is incapable of exact definition. In generic sense, it denotes ‘an act proscribed by law’ and subject to public reprobation. They are detrimental to public interest and liable to legal punishment.
 - ▶ Sir James Stephen says –
“Crime is an act which is both forbidden by law and revolting to the moral sentiments of the society.”
 - ▶ According to Halsbury’s Laws of England –
“A crime is an unlawful act or default which is an offence against the public and renders the person guilty of the act or default liable to legal punishment.”
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ELEMENTS OF CRIME

- ▶ ACTUS NON FACIT REUM NISI MENS SIT REA –the genesis of Crime i.e. an act does not constitute guilt unless done with guilty intent.
- ▶ Crime comprehends two elements – Physical known as **ACTUS REUS** and psychological **MENS REA**.
- ▶ **Actus = An act or deed; Reus = prohibited.**
- ▶ Actus Reus – consequence of human act sought to be prohibited by law – covers three elements – **a willed commission or omission, certain circumstances** and **certain consequences**.
- ▶ R. vs. Jordan – Stabbed victim admitted for medical treatment – administration of drug which was allergic – victim died of that intolerant drug.

MENS REA

- ▶ Means an evil intention or a knowledge of the wrongfulness of the act – blameworthy condition of mind.
- ▶ Identified through **Intention**, **Motive**, **Recklessness**, **Negligence**, **knowledge** etc.
- ▶ Mens Rea in I.P.C. – ref. fraudulently, dishonestly, malignantly, negligently, wantonly, voluntarily etc.
- ▶ (State of Maharashtra vs. M.H.George (1965)–Sec.8 of FERA, 1947 – Bringing of gold biscuits without specific permission of RBI – Accused not having the knowledge of law)
- ▶ Snake Charmer’s case (Ganesh Dhule vs. state)
- ▶ **Principle of Strict Liability**

STAGES OF CRIME

- ▶ Crime, generally, comprises of four stages –
- ▶ A) **Intention – Desire + knowledge**
- ▶ B) **Preparation** – Sec-122 (wage war) 126 (committing depredation on friendly territories – S.399–Dacoity) etc.
- ▶ C) **Attempt** – S-307, 511 etc.
- ▶ D) **Commission**
- ▶ **Joint or Constructive or Group Liability.**(Ss 34–39,(**Post Master's case and Indus River Case**) 120A, 121A,149,396 and 460)

STRUCTURE OF I.P.C.

- ▶ The Indian Penal Code, 1860 consists of 23 chapters, 511 sections. (V-A; IX-A and XX-A were added) The code was passed on 6th October, 1860, but came into effect from 1-1-1862.
- ▶ The Charter Act of 1833 facilitated the emergence of this code under the stewardship of Lord T. B. Macaulay.
- ▶ This codified statute is a substantive general law of crimes in India, and is exhaustive in respect of matters covered by it.

IPC enunciates.....

- ▶ **1. General Principles**
- ▶ Territorial Operation of the Code (Ch.1 – Ss1 to5)–**Intra –territorial** and **Extra – territorial**
- ▶ **General Explanations (Ch-II)– Definitions– (Ss 6–33, 39–52A)–Joint or Constructive or Group Liability.(Ss 34–39)**
- ▶ Punishments– (Ch–III Ss 53–75)
- ▶ General Exceptions– (Ch–IV Ss 76–106)

- ▶ **2. Specific Offences**– divided into–
- ▶ a). Affecting the State State
- ▶ b). Affecting the Common or Public weal
- ▶ c). Affecting the Human Body
- ▶ d). Affecting Property
- ▶ e). Affecting Reputation

- ▶ **3. Inchoate Offences**
- ▶ Abetment – (Ch.V) Ss–107 to 120
- ▶ Criminal Conspiracy – (Ch.V–A) Ss–120–A, 120–B
- ▶ Attempts to commit offences – (Ch. XXIII) S–511.

SPECIFIC OFFENCES

a). Affecting the State

- ▶ Offences against State – Ch.VI – Ss-121 to 130.
- ▶ Offences relating Army, Navy and Air Force – Ch.VII –Ss-131 to 140.

b). Affecting the Common or Public weal

- ▶ Offences against the Public Tranquility –Ch.VIII
Ss –141 to 160. (unlawful assembly,rioting, affray)
- ▶ Offences by or relating to Public Servants – Ch.IX
(Ss-161 to 165.A omitted) – Ss.166 to 171 in vogue.
- ▶ Offences relating to Elections –Ch.IX–A – Ss-171.A to I
- ▶ Of contempt of lawful authority of public servants – Ch.X
Ss- 172 to 190 (courts of justice, officers of revenue,
police and other public servants)

Contd.....

- ▶ False evidence and offence against public justice – Ch.XI–Ss–191 to 229.
- ▶ Offences relating to coins and government stamps – Ch. XII Ss–230 to 263.A
- ▶ Offences relating to weights and Measurements – Ch.XIII Ss–264 to 267.
- ▶ Offences affecting the public health, safety, conveniences, decency and morals. Ch.XIV Ss–268 to 294.A.
- ▶ Offences relating to religion – Ch.XV Ss–295 to 298.
- ▶ Offences relating to marriage – Ch. XX Ss–493 to 498
- ▶ Cruelty by husband or his relatives Ch. XX–A. S–498.A
- ▶ Of criminal breach of contracts of service – Ch. XIX S–491 (S–490 and 492 repealed)

Contd....

c). Affecting the human body

- ▶ Offences affecting human body – Ch. XVI Ss.299 to 377. Homicide, Murder, Hurt, Kidnapping, Rape etc..

d). Affecting the property

- ▶ Offences against the property – Ch. XVII Ss-378 to 462. Theft, Extortion, Robbery, Dacoity, Criminal Breach of Trust, Criminal Misappropriation etc.
- ▶ Offences relating to documents, property marks, currency and Bank notes – Ch. XVIII Ss.463 to 489-E.

e). Affecting Reputation

- ▶ Defamation – Ch. XXI Ss.499 to 502
- ▶ Of criminal intimidation, insult and annoyance – Ch. XXII Ss. 503 to 510

▶ Thank You

