CHAPTER -2
CRIME AND MENS REA

The word 'Crime' is derived from the latin word ‘Kromos’ which means 'to accuse'. It cover those acts which are against social order and deserve disapprobation and condemnation of the society. Crime is a social phenomenon. It arises when a state is organized, people set up rules, the breaking of which is an act called crime. It is true that both Crime and Criminal are looked upon with greatest hatred by all sections of the people in society but it is also true that the study and research of the law of crimes has always been one of the most attractive branches of jurisprudence since the early years of human civilisation.

Infact the law of crimes has been as old as the civilization itself. Wherever people organized themselves into groups or association the need for some sort of rules to regulate the behaviour of the members of that group interse has been felt and where there were rules of the society, its infraction was inevitable. And there lies the necessity of devising some ways and means to curb such tendencies in the society that lead to violation of its rules. In every organized society certain acts are forbidden on the pain of punishment. Where one person injured another and the injury could adequately be compensated by money value, the wrong-doer was required to pay damages or compensation to the wronged individual. But in certain cases in addition to the liability to pay compensation the state impose certain penalties upon the wrong-doer with the object of preserving peace in the society and promoting good behaviour towards each other and towards the community at large.
NATURE OF CRIME

In order to know the nature of crime, it is necessary for us to know what is law, because the crime and law are so closely related to each other. Law is the aggregate of rules set by men as politically superior or sovereign, to men as politically subject. Law is that command which enjoining that course of conduct which is to be observed by all people of society and is backed by a sanction. Thus the law prescribed certain standards of conduct which is to be observed by the people of society and when the people doesn’t observed such standard of conduct then such act is known as Crime.

Thus from the definition of law, it is clear that disobedience of law may be termed as Crime. But the disobedience of all law is not crime, It means an act done in breach of law of contract, personal law or civil law may not be a crime unless and until such breach has been declared as a crime by some law. In other words, crimes mean those acts which the people in society considered as worthy of serious condemnation.

An act to be a crime must be both forbidden by law and against moral sentiments of the society Murder, robbery, theft etc. are the which the people in civilized society do not approve are termed as crime.

According to Huda, “Crime is said to be an act which is both forbidden by law and against the moral sentiments of the society.”

Thus, an act to be a crime, it must be the violation of law and at the same time it should be opposed to the moral sentiments of the society.

For Example:- Murder, Robbery, Forgery and Cheating etc. are considered to be the violation of law and they are also against the moral sentiments of the society, that’s why they are considered as a crime in the statutory laws.

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1 Huda, the principles of the law of crimes p.1.
DEFINITION OF CRIME

Generally, 'Crime' means 'a sin which is prohibited and punished by the statutory provisions of law'. It means every Crime is a Sin but every Sin is not a Crime unless and until it is prohibited and punished by the law. In other words, 'Crime' means 'an action or omission which constitutes an offence and is punishable by law'. There are so many writers, who have defined the term ‘Crime’ in their own style, in which some are as follows:-

According to legal definition, Crime is "any form of conduct which is declared to be socially harmful in a state and as such forbidden by law under pain of some punishment."

There so many writers who have defined the terms 'Crime' in their difference styles in which some are as follows :-

According to Dictionary meaning, 'Crime' means “an act or the commission of an act that is forbidden or the omission of a duty that is commanded by a public law and that makes the offender liable to punishment by that law.”

According to Oxford English Dictionary, 'Crime' means "an act punishable by law as forbidden by statute or injurious to the public welfare”

According to Duhaime’s law Dictionary, 'Crime' means "an act or omission which is prohibited by criminal law and punished, usually by fine or imprisonment.”

‘Miller’ defines the 'Crime' as “to be the commission or omission of an act which the law forbids or commands under pain of a punishment to be imposed by the state by a proceeding in its own name.”

‘Kenny' defines the 'Crime' as, “wrongs whose sanction is punitive and is in no way remissible by any private person; but is remissible by crown alone, if remissible at all”

2 Miller, criminal law, P. 15
Stephen' defines the 'Crime' as, “an act forbidden by law and which is at the same time revolting to the moral sentiments of the society.”

'Blackstone' in his commentaries on the laws of England has defined 'Crime' as, “an act committed or omitted in the violation of a public law either forbidding or commanding it.”

'Tappan' has defined 'Crime' as, “an intentional act or omission in violation of criminal law committed without any defence or justification and penalised by the law as felony or misdemeanor.”

According to 'Cross and Jones' “Crime is a legal wrong the remedy for which is the punishment of the offender at the instance of the state.”

'Donald Taft' defines 'Crime' as, “a social injury and an expression of subjective opinion varying in time and place.”

'Halsbury' defines 'Crime' as, "an unlawful act which is an offence against the public and the perpetrator of that act is liable to legal punishment.”

**ESSENTIAL ELEMENTS OF CRIME**

There are two tests of criminality of our law which is based on English law i.e. actus reus and mens rea. But in Indian law, there are four elements that go to constitute a Crime, these are –

(a) Human being
(b) Mens rea
(c) Actus reus
(d) Injury

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4 Stephen, general view of criminal law of England P.3
5 4 Black, comm. 4.
6 Tappan Paul W. Crime, Justice and correction, p. 80
(a) **Human being** :-

The first essential element of crime is a 'Human being'. It requires that an act to be a crime, it is necessary that the act must be committed by a human being. In ancient times when the criminal law was dominated by the idea of retribution, then the punishment were also inflicted on animals for the injury done by them. As the Pig was burnt in Paris for having devoured a child and a horse was killed for having kicked a man.

But now, if an animal causes injury, the animal is not liable for that act but its owner is liable for it and that old methods have been completely disappeared because of the development of civilization and the notion of mens rea. So, the first essential of a crime is a Human Being who must be under legal obligation to act in a particular manner and should be fit subject for award of appropriate punishment. As Section 2 of Indian Penal Code provides that –

"Every person shall be liable to punishment under this Code for every act or omission contrary to the provisions thereof, of which he shall be guilty within India".

The word ‘Person’ is wide enough as it not only includes the natural person but also artificial or Juridical persons as it has also been provided under Section 11 of Indian Penal Code, which provides that the word ‘Person’ includes a company or association or a body of persons whether incorporated or not. It means the artificial persons are also liable for the breach of the statutory duty imposed on them but they are not liable for the act which can be committed only by the living person as Murder, Rape, Bigamy etc.

In R. V/s. Birmingham Rly. Co^7^ the corporation was held liable for having neglected to repair a highway. Likewise in case of R. V/s. Great
North of Eng. Rly. Co. Railway Company was held liable for obstructing a highway whereby public nuisance was created. An important development in this respect took place with the decision of Viscount Haldance in the following case -

**Case:** Lennard Carrying Co. Ltd. V/s. Asiatic Petroleum Co. Ltd

In this case it has been held, “A corporation is an abstract. It has no mind of its own any more than it has a body of its own, its acting and directing will must consequently be sought in the person of somebody who is really the directing mind or will of the corporation. The fault of a corporation is, therefore, fault of its superior officers who are the directing mind or will of the corporation.

(b) **Mens rea:**

'Mens rea' is an second and important essential element of crime. It is also known as 'evil intent'. This topic has been discuss in detail under the Chapter 4 and 5 under the head of Mens Rea, it's origin and development and Mens Rea Under Indian Penal Code, respectively.

(c) **Actus Reus:**

'Actus Reus' is the third and important essential element of crime. Only a human being and evil intent are not enough to constitute a crime because you can’t know the intentions of a man. Only intent of a person is not punishable. Some over act or illegal omission must take place in pursuance of the guilty intention and such act or omission must be forbidden by some law.

Prof. Kenny has defined it as, “such result of human conduct as the law seeks to prevent.” He was the first writer who use the term ‘Actus reus’ but the Russel called it “Physical result of human conduct.” Prof. Jerome Hall said that something in addition to a mens rea is required to produce a criminal harm. There must also be a manifestation of mens rea in the external world. It has long been the custom of lawyers to describe a deed prohibited by law in the word ‘actus reus’.

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8 (1846) 9QB 315
9 1915 AC 705 at p. 715
10 Outlines of Criminal law, 19th Edn.P.17
The word ‘act’ includes ‘illegal omission’ also as **Section 32 of Indian Penal Code** provides that "words referring to acts done extend also to illegal omission if no contrary intention appears from the conduct”.

The words 'illegal or legally bound to do' have been defined under **Section 43 of Indian Penal Code**, which provides that -

“The word ‘illegal’ is applicable to everything which is an offence or which is prohibited by law, or which furnishes ground for a civil action: and a person is said to be ‘legally bound to do’, whatever it is illegal in him to omit.”

So the act or omission must be forbidden by the law and to constitute a crime the intent and act must both concur.

(d) **Injury** :-

The fourth essential of crime is the 'Injury' to another person or to society at large. Such injury must be illegally caused to a person. The word 'Injury' has been defined under **Section 44 of Indian Penal Code** as "the word 'injury' denotes any harm whatever illegally caused to any person in body, mind, reputation or property".

Thus, the word 'injury' is wide enough to include all injuries caused by tortious act.

The threat of injury is also punishable under the Indian Penal Code as there are three sections in the Code which specifically deals with the threat of injury –

- **Section 189** - Threat of injury to public servant,
- **Section 190** - Threat of injury to induce person to refrain from applying for protection to public servant, and
- **Section 385** - Putting a person in fear of injury in order to commit extortion.
Thus, it is clear that there are four essential elements to constitute a crime. But there are some exceptions to the above rule as sometimes a crime is constituted even though the act is not done with guilty mind.

For Example: - The offence of Bigamy under Section 494 of Indian Penal Code.

There are some cases although where no injury has been caused to any person but they are Crimes, such as 'Attempt', 'Abetment' and 'Conspiracy'.

There are some crime where there is neither actus reus nor injury to a human being but still they are crimes such as making Preparation to commit Dacoity under Section 399 and Assembling for the purpose of Committing Dacoity under section 402 of Indian Penal Code.

**STAGES IN THE COMMISSION OF CRIME**

If a person commits a crime voluntarily or after premeditation the doing of it involves four stages. As in every crime firstly, there must be an intention to commit it, then there must be necessary preparation to commit it, then there is an attempt to commit it. If such attempt succeeds, he is said to have committed the offence. If such attempt fails he is said to have committed the attempt to commit the offence. Thus, the Stages in the Commission of Crime are discussed below in details :-

(a) **Intention**

(b) **Preparation**

(c) **Attempt**

(d) **Accomplishment**.

(a) **Intention** :

'Intention' is also known as ‘Mental Stage’. It is the first stage in the commission of the crime. In olden times, mere intention to commit a crime
was not punishable because it is very difficult for the prosecution to prove the guilty intention of a person and the court was also unwilling in punishing a person for mere guilty intention. It was also observed by an English Judge\textsuperscript{11} that the thought of a man is not triable because devil himself knoweth not the thought of a man. So, if the act of a person remains in his intention or mind, no criminal liability arises but if it is made known to others either by words or conduct, it will give rise to criminal liability. The Burdick in the Law of Crime\textsuperscript{12} said that “The doctrine that a mere intent amounts to crime passed long ago and in order to constitute an attempt to commit a crime there must be something more than an intent to commit it.”

In Indian criminal law also, a mere intention to commit a crime is not punishable except in some exceptional cases where the law takes notice of an intention to commit a crime as 'Waging War against the Government' under Section 121 to 123 of Indian Penal Code and 'Sedition' under Section 124 A of Indian Penal Code etc as they have been considered to be the serious offences and mere preparation of it is punishable as it is to be checked or prevented at the earliest stage.

Besides it, a mere 'Assembly of Persons for Committing the Dacoity' is punishable under Section 402 of Indian Penal Code.

Similarly, the persons who have been engaged in the 'Criminal Conspiracy' specified under Section 120 A of Indian Penal Code shall be liable to be punished although he has not himself committed the impugned act. According to Section 120-A of Indian Penal Code-

“When two or more persons agree to do or cause to be done:–

(i) an illegal act or

(ii) an act which is not illegal by illegal means, such an agreement is designated a criminal conspiracy”.

\textsuperscript{11} 4.B. (1477), P.17
\textsuperscript{12} Law of crime, p. 176
But mere agreement is not punishable as proviso added to the section requires that some act besides the agreement must be done.

(b) **Preparation** :-

'Preparation' is the second stage in the commission of a crime. 'Preparation' means ‘to arrange means or necessary measures for the commission of the crime’. An act done towards the commission of an offence is merely an act of preparation, unless and until it is followed by some other acts. Mere intention or intention followed by preparation is not enough to constitute the crime and they are not punishable. Mere preparation to commit a crime is not punishable because it is very difficult to prove that the necessary preparation were made for the commission of the offence. The existing laws allow a principle of ‘Lous poenitantae' which means an 'opportunity to repent'. The law doesn’t punish the person unless he has passed beyond that stage of preparation.

**For Example** :- If Z purchases a pistol and keeps the same in his pocket duty loaded in order to kill his bitter enemy ‘X’, but he does nothing more. He hasn’t committed any offence as it is the stage of preparation and it is impossible to prove that ‘Z’ had the loaded pistol only for the purpose of killing ‘X'.

- **Case :** Noorbibi V/s State\(^\text{13}\)

  In this case the accused without proper permission was going towards the border with the object of stepping into Pakistani territory and was arrested before reaching the border. It was held that there could be no presumption that whosoever moved towards the border would necessarily cross over.

- **Case:** R. V/s Robinson\(^\text{14}\)

  In this case, a Jeweller in order to make a false claim to an Insurance company pretended that his shop had been burgled and informed the police

\(^{13}\) AIR 1952 J and K 55
\(^{14}\) (1915) 2 KB 342
accordingly. The investigation was held by the police, in which the truth was made known to them that the Jeweller had made the false complaint. Then he was prosecuted for it. But he was held not guilty as he was still preparing to commit the crime. He could have been guilty for it only if he had submitted the claim to the insurance company.

➢ **Exceptions :-**

There are some exceptional cases provided under the Indian Penal Code, where mere preparation to commit the offences is punishable as these offences are considered to be grave and serious offences. These offences are as follows:-

(i) Preparation to wage war against the Government (Section 122).

(ii) Preparation to commit depredation on territories of a power at peace with Government of India (Section 126).

(iii) Preparation to commit dacoity (Section 399).

(iv) Preparation for Counterfeiting of Coins (Section 233 to 235).

(v) Preparation of Government Stamps (Section 255 and 257).

(vi) Possessing Counterfeit Coins, False Weight or Measurement and Forged Documents (Section 242, 243, 259, 266 and 474).

Mere possession of these things is a crime and a possessor can’t plead that he was still at the stage of preparation.

(c) **Attempt :-**

The ‘Attempt’ is the third stage in the commission of crime. It is also known as a ‘Preliminary Crime’. The term ‘Attempt’ means “the direct movement towards the commission of crime after necessary preparation have been made.” The Hon’ble Supreme court in the case of State of Maharashtra V/s Mohd. Yakub15 has observed that an attempt to defined the term 'attempt' is a futile exercise. The attempt stage is reached when

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culprit takes deliberate overt steps to commit the offence, which need not be penultimate act.

Prof. Kenny and Sir Stephen called the term 'attempt' as ‘inchoate crime’ which connotes something which is yet to be completed. The term ‘attempt’ has nowhere been defined in the Indian Penal Code but simply provides for its punishment. An attempt is made punishable because every attempt; although it falls short of success, must create alarm, which itself is an injury. Although the injury is not as great as it would be if the act had been committed but it is punishable because it create alarm to other person.

- **Essentials of the Attempt :-**
  
  The following are the three essentials of the offence of Attempt :-  
  
  (i) Guilty intention to commit an offence;  
  (ii) Some act done towards the commitment of the crime;  
  (iii) The act must fall short of the completed offence.

- **Attempt Under Indian Penal Code :-**
  
  Under the Indian Penal Code, the term ‘Attempt’ has been described in three different ways –  
  
  (a) Completed offences and attempts have been specified in the same section and same punishment is prescribed for them. Such provisions are **Sections 121, 124, 124-A, 125, 130, 131, 152, 153-A, 161, 162, 163, 165, 196, 198, 200, 213, 239, 240, 241, 251, 385, 387, 389, 391, 394, 395, 397, 459 and 460.**  
  
  (b) There are some grave offences, where attempts are described separately and specific punishment is prescribed for them. These provisions are as follows:-
(i) The offence of 'Murder' is punishable under Section 302 and the offence of 'Attempt to Murder' is punishable under Section 307.

(ii) The offence of 'Culpable Homicide' is punishable under Section 304 and the offence of 'Attempt to Commit Culpable Homicide' is punishable under Section 308.

(iii) The offence of 'Attempt to Commit Suicide' is punishable under Section 309. The constitutional validity of Section 309 has been upheld by the Hon’ble Supreme court in the case of Gian Kaur V/s State of Punjab. Completed offence is not punishable and as such there is no provision for the punishment.

I think reason behind it is that when a person succeeds in his attempt to suicide, then he will died and to whom you will punish for it.

(iv) The offence of 'Robbery' is punishable under Section 392 and the offence of 'Attempt to Commit Robbery' is punishable under Section 393 and 'if such Attempt is committed by a person Armed with the Deadly Weapons', he is liable to be punished under Section 398.

(v) The offence of 'Dacoity with Murder' is punishable under Section 396 and the offence of Dacoity with an 'Attempt to cause Death' is punishable under Section 397.

(vi) The offence of 'Voluntarily causing Hurt in committing Robbery' is punishable under Section 394 and the offence of 'Attempt to cause Grievous Hurt in committing the Robbery' is punishable under Section 397.

(C) All other cases where no specific provisions have been made in the code relating to Attempt shall be covered under Section 511 of the

16 (1996), 2 SCC 648).
Code, which provides that the accused shall be punished with the 1/2 of the largest term of imprisonment provided for the offence or with the fine or with both.

**For Example** :- A person has committed an offence of attempt to commit theft and there is no specific provisions for the punishment but the offence of theft is punishable with the imprisonment for term of three years. So, the punishment for the offence of attempt to commit theft would be one and a half years of imprisonment or with fine or with both, by virtue of Section 511 of the Code.

➢ **Theories of Attempt** :-

There are three theories of Attempts, which are as follows –

(i) **Impossible attempt** :-

It was for some time supposed that it would be no crime if a man attempted to do that which in fact it was impossible to do. This fallacy was due to the fact that impossible attempts were considered to be a mere preparation. That’s why in the Case of **Queen V/s. Collins**\(^\text{17}\) the accused could not be convicted for putting his hands into the empty pocket of another. This decision was based on a decision of **R. V/s. MacPherson**\(^\text{18}\) where the court said that “An attempt must be to do that which, if successful, would amount to the felony charged, but here the attempt never could have succeeded.

Later on, in the case of **Haughton V/s. Smith**\(^\text{19}\) the court was held that if the act is such that it is incapable of commission i.e. trying to steal from empty room, pocket, shooting at a bulge in bed thinking it to be the enemy, no criminal attempt can be said to have been committed.

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17 (1864) 12 WR 886,
18 (1857) 1 D&B 197
19 (1973) 3 All ER 1109 (HL).
The whole controversy has now been set at rest with the passage of the **Criminal Attempt Act, 1981, Section 1** of which deals with such situations. And this section has been applied by the court in the case of **R. V/s. Shivpuri** in which the accused was arrested by custom official for possessing a suitcase containing prohibited drugs.

He also told officials that he is dealing with prohibited drugs but on opening the suitcase no drug was found therein. Holding him liable the court observed that **Section 1** when truly construed it reveals that a person is guilty of an attempt merely if he did an act which was more than merely preparatory to the commission of the offence which the intended to commit even if the facts were such that the actual offence was impossible.

**Section 511** of the **Indian Penal Code** is more specific in this respect and the following two illustrations clearly make impossible attempt punishable:-

(a) 'A' makes an attempt to steal jewels from an empty box. 'A' is guilty;
(b) 'A' makes an attempt to pick the empty pocket of 'Z'. 'A' is guilty.

(ii) **Proximity Rule** :-

An act or series of acts constitute an attempt if the offender has completed all or at any rate all the more important steps necessary to constitute the offence but the consequence which is the essential ingredient of the offence has not taken place. No Man can be punished for his guilty purposes. Save so far as they have manifested themselves in over acts which themselves proclaim his guilt.

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Object Theory :-

The Third theory tries to differentiate between cases where the object is merely mistaken and cases where the object is absent. In the former case it would be an attempt but the latter would not. Where a pick-pocket puts his hand in an empty pocket he is only mistaken but where one shoots at a shadow, the object is absent.

Illustrative cases of Attempt :-

- **R. V/s. Goodall**\(^\text{21}\)
  
  In this case, where the accused was held guilty for administering drug to cause miscarriage although it was subsequently discovered that the lady was not pregnant at that time

- **R. V/s. Spicer**\(^\text{22}\)
  
  In this case, the accused was indicted for using means with intent to procure miscarriage by manual manipulation. It was held that whether method used in effective or not, but he is guilty.

- **Hazara Singh V/s. Union of India**\(^\text{23}\)
  
  In this case, the accused persons were seen going towards the Pakistan border with a tin case in their hands and when they recognized the raiding party they immediately turned round and ran away. They were chased into the house of the accused where the raiding party found the accused persons hiding or concealing the tin box containing currency notes in the heap of wheat in the house. Held,

\(^{21}\) 2 COX CC 41

\(^{22}\) (1955) 39 Cri. App. R 189

\(^{23}\) (1973) 3 SCC 401
the facts are sufficient to constitute an attempt to smuggle the currency notes.

- **T. Munirathnam Reddi, re**
  
  In this case, the second accused with a clear intention to shoot aimed at the deceased but he could not release the trigger as his hands were shaking. Noticing the shakiness of his hands, the first accused took it out of his hands and shot the deceased. Held, the second accused did an act towards the commission of an offence within the meaning of Section 511 Indian Penal Code.

(d) **Accomplishment** :-

The last stage in the commission of a crime is its 'Accomplishment'. If the accused commits an attempt to commit the crime and such attempt succeeds, he will be liable for the offence. If such attempt is unsuccessful, he will be liable for the attempt to commit the offence.

**For Example** :- ‘X’ fires at ‘Z’ with the intention to kill him. If he dies in it, ‘X’ will be liable for the offence of 'Murder' under Section 302 of Indian Penal Code and if he is only injured, ‘X’ will be liable for the Offence of 'Attempt to Murder' under Section 307 of Indian Penal Code. It means in case of completion of offence, the offender shall be liable to be punished under the specific provisions of the code.

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24 A.I.R. 1955 Ap 118
CRIME AND OFFENCE

The word ‘Crime’ has been used from ancient period, where if the person commits an act which is not permissible as according their customs and rules, he is said to have committed a crime and for which he was punished. But as the society developed and the law has been made in written form, the word ‘Offence’ has been taken place in the penal laws for which punishment has been provided.

In Penal laws, the word ‘Offence’ has been used because the word ‘Crime’ is a broader term as it includes legal as well as moral wrong. Whereas the word ‘Offence’ is narrower term as it includes only legal wrong and which is formally declared as an offence.

Crime is the violation of law, the breach of a legal duty, an act done against the state legislation. The term ‘Offence’ has also used in the same context having the synonymous meaning but different use in different place. Offence is used for a lessor Crime like a felony etc.

The word ‘Crime’ has not been defined under the penal laws but the word ‘Offence’ has also been used and defined under Indian Penal Code. It has been defined under Section 40 of the Code which provides that-

“Except in the 39 [Chapters] and Sections mentioned in clauses 2 and 3 of this section, the word “offence” denotes a thing made punishable by this Code.

In Chapter IV, 40 [Chapter VA] and in the following sections, namely, sections 41 [64, 65, 66, 42 [67], 71], 109, 110, 112, 114, 115, 116, 117, 43 [118, 119, 120,] 187, 194, 195, 203, 211, 213, 214, 221, 222, 223, 224, 225, 327, 328, 329, 330, 331, 347, 348, 388, 389 and 445, the word “offence” denotes a thing punishable under this Code, or under any special or local law as hereinafter defined.

And in sections 141, 176, 177, 201, 202, 211, 212, 216 and 441, the word “offence” has the same meaning when the thing punishable under the special
or local law is punishable under such law with imprisonment for a term of six months or upwards, whether with or without fine.”

And the word ‘Offence’ has also defined under Section 2 (n) of Criminal Procedure Code, 1973 which provides that-

“Offence means any act or omission made punishable by any law for the time being in force and includes any act in respect of which a complaint may be made under Section 20 of the Cattle Trespass Act, 1871.”

The person who commits an offence under Indian Penal Code shall be punished according to the provision of Indian Penal Code.

**CLASSIFICATION OF OFFENCES UNDER INDIAN PENAL CODE**

The offences under Indian Penal Code have been classified into seven broad categories on statistical basis. They are as follows:–

(1) Offences against Person,
(2) Offences against Property,
(3) Offences relating to Documents,
(4) Offences affecting Mental Order,
(5) Offences against Public Tranquility,
(6) Offences against State,
(7) Offences relating to Public Servants.

The above classification of offences seems to be more rational and elaborate from the point of view of administration of Criminal law and Penal Justice.