

B.A.LL.B. V SEMESTER
SUBJECT: LAW OF CRIME
BL-5001

TOPIC: CRIME (MEANING AND INTRODUCTION)

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1. According to Oxford, crime is an act punishable by law as for Bidden by statute or injurious to the public welfare .

2. According to Blackstone, crime is an act committed or omitted in violation of public law either forbidding or commanding it.

(Elements of crime)

- Human being .
- Mens rea (guilty mind).
- Actus reus (commission of act).
- Injury.

Mens rea (evolved in 13th century)

Mens rea is better explained through following latinMaxims:-

- “Actus non facit reuan , nisi mens sit rea “ the act itself does not make man guilty, unless he has intention to do so,
- Actus me invito factus non est mens actus” act done by me against my will is not my act at all .

Exceptions of mens rea

- Bigamy
- Public nuisance
- Health & safety

Cases related to mens rea

- Fowler v/s padget – the intention and act must concur at same time .
- R v/s prince – malum in se
- Queen v/s tolson - malum in prohibitum

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