

The Indian Penal Code 1860

Section 511 - PUNISHMENT FOR ATTEMPTING TO COMMIT OFFENCES PUNISHABLE WITH IMPRISONMENT FOR LIFE OR OTHER IMPRISONMENT Whoever

a) A makes an attempt to steal some jewels by breaking open a box and finds, after so opening the box, that there is no jewel in it. He has done an act towards the commission of theft, and therefore is guilty under this section. (b) A makes an attempt to pick the pocket of Z by thrusting his hand into Z's pocket. A fails in the attempt in consequence of Z's having nothing in his pocket. A is guilty under this section. COMMENTS An "attempt" ordinarily means an intent combined with an act falling short of the thing intended. It may be described as an endeavour to do an act, carried beyond mere preparation, but short of execution. In criminal law, an intent to commit a crime coupled with an act taken toward committing the offence. An effort or endeavour to accomplish a crime, amounting to more than mere preparation or planning for it, which, if not prevented, would have resulted in the full consummation of the act attempted, but which, in fact, does not bring to pass the party's ultimate design. The requisite elements of an "attempt" to commit a crime are: (1) an intent to commit it, (2) an overt act toward its commission, (3) failure of consummation, and (4) the apparent possibility of commission. There are three stages in every crime-- intention, preparation and attempt. Intention is the direction of conduct towards the object. Preparation consists in devising or arranging the means or measures necessary for the commission of an offence. Attempt is the direct movement towards the commission after the preparations are made. If attempt is successful, crime is complete. If it fails, crime is not complete but still law punishes the person attempting the act. Every attempt creates an alarm which itself is an injury, so attempt is made punishable. Attempt is an intentional preparatory action. To determine whether the act determines attempt or not is whether intention followed by preparation is followed by any "act done towards the commission of the offence". "Act done towards the commission of the offence" are vital words. Central Bare Acts