# IPC Section 252: Possession of coin by person who knew it to be altered when he became possessed thereof.

Section 252 of the Indian Penal Code (IPC) addresses the offense of knowingly possessing an altered coin. This section targets individuals who acquire and retain possession of a coin they know has been tampered with, even if they weren't involved in the alteration itself. This explanation will delve into the specifics of Section 252, examining its key components, the prescribed punishment, and its relationship to other relevant sections of the IPC.  
  
\*\*Detailed Explanation of Section 252:\*\*  
  
The core elements of Section 252 can be broken down as follows:  
  
1. \*\*"Possession of coin:"\*\* This refers to having conscious control and dominion over a coin that has been altered. This encompasses both physical possession (having the coin on one's person) and constructive possession (having the power and intention to exercise control over the coin, even if it's not physically present).  
  
2. \*\*"by person who knew it to be altered:"\*\* This phrase establishes the essential \*mens rea\* element. The prosecution must prove beyond reasonable doubt that the accused was fully aware that the coin in their possession had been altered at the time they acquired possession. Mere suspicion or subsequent discovery of the alteration is not sufficient. The knowledge must be contemporaneous with the acquisition of possession.  
  
3. \*\*"when he became possessed thereof:"\*\* This emphasizes the timing of the knowledge. The knowledge of the alteration must exist at the precise moment the person gains possession of the coin. If someone acquires a coin innocently and later discovers its alteration, their continued possession after that point would not be covered under Section 252, but potentially under Section 254 (which addresses dishonest retention).  
  
4. \*\*"altered":\*\* This refers to any modification made to the coin that changes its appearance, weight, composition, or other characteristics, typically with the intention of deceiving or defrauding. This includes:  
  
 \* \*\*Diminishing weight:\*\* Reducing the weight of the coin by clipping, filing, or other methods.  
 \* \*\*Altering composition:\*\* Changing the metallic makeup of the coin.  
 \* \*\*Altering appearance:\*\* Modifying the visual characteristics of the coin to misrepresent its value or type.  
  
  
\*\*Punishment under Section 252:\*\*  
  
Section 252 prescribes imprisonment for a term which may extend to one year, or with fine, or with both. The punishment, while less severe than that for some other counterfeiting offenses, recognizes the potential harm associated with possessing altered coins, which can facilitate fraudulent transactions and undermine public trust in the currency. The option of imposing both imprisonment and a fine allows the court to tailor the punishment to the specific circumstances of the offense.  
  
\*\*Difference from other related offenses:\*\*  
  
\* \*\*Sections related to counterfeiting (e.g., Sections 231-238):\*\* These sections generally focus on the creation of entirely counterfeit coins. Section 252 deals with the possession of coins that were originally genuine but have been subsequently altered.  
  
\* \*\*Section 246 (Fraudulently or dishonestly diminishing weight or altering composition of coin):\*\* This section addresses the act of altering the coin itself, whereas Section 252 focuses on the subsequent possession of the altered coin.  
  
\* \*\*Section 250 (Delivery of coin, possessed with knowledge that it is altered):\*\* This section deals with the act of delivering or circulating an altered coin, while Section 252 deals with simply possessing it. A person can be charged under both sections if they knowingly possess and subsequently deliver an altered coin.  
  
  
\*\*Illustrative Examples:\*\*  
  
\* A person knowingly purchases a batch of clipped coins at a discounted price.  
  
\* An individual receives altered coins as change and knowingly keeps them.  
  
\* A collector knowingly acquires an altered coin, aware of its modifications.  
  
\*\*Evidentiary Considerations:\*\*  
  
Proving an offense under Section 252 requires demonstrating both the possession of the altered coin and the accused's knowledge of its alteration at the time of acquiring possession. Evidence might include:  
  
\* \*\*Examination of the coin:\*\* Confirming that the coin in the accused's possession has been altered.  
\* \*\*Witness testimony:\*\* Testimony from individuals who sold or gave the altered coin to the accused, or from others who witnessed the acquisition.  
\* \*\*Confessions or admissions:\*\* Statements by the accused acknowledging their knowledge of the coin's alteration at the time they acquired it.  
\* \*\*Circumstantial evidence:\*\* Possession of a significant number of altered coins, or a history of dealing in altered coins.  
  
  
\*\*Why Section 252 is important:\*\*  
  
This section is crucial for:  
  
\* \*\*Deterring the possession of altered coins:\*\* By criminalizing the knowing possession of such coins, it discourages individuals from acquiring and holding them, thus reducing their circulation.  
\* \*\*Protecting economic transactions:\*\* It helps prevent fraudulent transactions involving altered coins.  
\* \*\*Maintaining public confidence in currency:\*\* It contributes to preserving the integrity of the currency system and maintaining public trust.  
  
  
  
\*\*Conclusion:\*\*  
  
Section 252 of the IPC plays a valuable role in combating the circulation of altered coins by criminalizing their knowing possession. By focusing on the \*mens rea\* element, it ensures that individuals who innocently possess altered coins are not penalized, while those who knowingly acquire and retain such coins are held accountable. This targeted approach helps deter the spread of altered coins, protect the fairness of economic transactions, and uphold public confidence in the currency system. The provision's clarity and specific focus on possession make it an effective tool in maintaining economic stability and protecting the integrity of currency.