# IPC Section 387: Putting person in fear of death or of grievous hurt, in order to commit extortion.

Section 387 of the Indian Penal Code (IPC) deals with the \*attempt\* to commit extortion by putting a person in fear of death or grievous hurt. It criminalizes the act of threatening someone with death or grievous hurt with the intention of extorting property or valuable security from them, even if the extortion is not successful. This section recognizes the inherent danger of such threats and aims to deter individuals from engaging in this behavior.  
  
\*\*Detailed Explanation of Section 387:\*\*  
  
The essential elements of this offence are:  
  
1. \*\*Putting any person in fear of death or grievous hurt:\*\* This is the core element of Section 387. The accused must intentionally instill fear of death or grievous hurt in the victim's mind. "Grievous hurt" is defined under Section 320 of the IPC and includes injuries like emasculation, permanent privation of the sight of either eye, permanent privation of the hearing of either ear, privation of any member or joint, destruction or permanent impairing of the powers of any member or joint, permanent disfiguration of the head or face, fracture or dislocation of a bone or tooth, and any hurt which endangers life or which causes the sufferer to be during the space of twenty days in severe bodily pain, or unable to follow his ordinary pursuits. The threat must be such that a reasonable person in the victim's position would genuinely fear death or grievous hurt.  
  
2. \*\*In order to commit extortion:\*\* This crucial element connects the threat to the intent to extort. The accused must threaten the victim with death or grievous hurt \*for the specific purpose\* of compelling them to deliver property or valuable security. This means the threat must be instrumental to the intended extortion.  
  
 It's important to note that the actual commission of extortion is \*not\* required for this section to apply. The offence is complete the moment the accused makes the threat with the intention of extorting, regardless of whether they succeed in obtaining anything of value.  
  
  
\*\*Punishment under Section 387:\*\*  
  
Putting a person in fear of death or grievous hurt in order to commit extortion is punishable with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine. This is a more severe punishment compared to the two years imprisonment for attempting general extortion under Section 385, reflecting the greater gravity of threats involving death or grievous hurt.  
  
  
\*\*Distinction from Other Sections:\*\*  
  
It's crucial to differentiate Section 387 from related offences:  
  
\* \*\*Section 383 (Extortion):\*\* This section deals with the completed offence of general extortion, where any kind of injury is threatened.  
  
\* \*\*Section 384 (Punishment for extortion):\*\* This section prescribes the punishment for the offence of extortion defined under Section 383.  
  
\* \*\*Section 385 (Putting person in fear of injury in order to commit extortion):\*\* This section covers the attempt to commit general extortion, involving threats of any injury.  
  
\* \*\*Section 386 (Extortion by putting a person in fear of death or grievous hurt):\*\* This section deals with the completed offence of extortion where the threat is specifically of death or grievous hurt. Section 387 deals with the \*attempt\* to commit this offence.  
  
\* \*\*Section 506 (Criminal intimidation):\*\* While both involve threats, criminal intimidation is a broader offence. Section 387 requires the threat to be made \*in order to commit extortion\*. If the threat is made for other purposes, it may fall under Section 506.  
  
\* \*\*Sections 302 (Murder) and 320 (Grievous Hurt):\*\* If the accused carries out their threat and causes the victim's death or inflicts grievous hurt, they can be charged under these sections respectively, in addition to or instead of Section 387.  
  
  
\*\*Evidentiary Considerations:\*\*  
  
To prove an offence under Section 387, the prosecution must demonstrate beyond reasonable doubt that:  
  
\* The accused put the victim in fear of death or grievous hurt.  
\* The accused did so with the intention of committing extortion.  
  
  
Evidence can include the victim’s testimony, witness accounts, written or recorded threats, and other circumstantial evidence that establishes the accused's intent. The nature of the threat, the context in which it was made, and the accused's subsequent actions are crucial factors in determining their intent.  
  
\*\*Illustrative Examples:\*\*  
  
\* Sending a letter threatening to kill someone unless they pay a ransom, even if no ransom is paid.  
\* Verbally threatening to break someone's legs unless they transfer property, even if they refuse.  
\* Showing someone a weapon and demanding money, implying a threat of grievous hurt, even if no money is handed over.  
  
In conclusion, Section 387 of the IPC plays a crucial role in deterring attempted extortion involving threats of death or grievous hurt. It recognizes the serious nature of such threats, even if they are not carried out, and imposes a significant penalty to protect individuals from this dangerous form of intimidation. The section clarifies the distinction between attempts to commit general extortion and attempts involving these specific threats, ensuring that the law adequately addresses the varying degrees of harm associated with different types of extortionate behavior.