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Section 2 of the Code recognises the general principle of criminal jurisdiction over persons with reference to the locality after offence committed by them being within India.

The use of the phrase “ every person” in Section 2 as contrasted with the use of the phrase “ any person” in Section 3 as well as Section 4(2) of the Code is indicative of the idea that to the extent that the guilt for an offence committed within India can be attributed to a person, every such person without exception is liable for punishment under the Code. The phrase “ within India” towards the end of Section 2 cannot be read with the phrase “ every person” at the commencement thereof. The plain meaning of the phrase “ every person” is that it comprehends all persons without limitation and irrespective of nationality, allegiance, rank, status, caste, colour or creed. The criminal jurisdiction is both territorial and personal according to the terms of Section 8 of the Code. The courts of the land are given jurisdiction to try every person (subject to well-recognised exceptions under International Law and the Constitution of India) who is guilty of an offence under the Code within the territory of India. Every person, citizen and foreigner alike, who is guilty of an offence within the said territory is amenable to the jurisdiction of the Indian Courts even though he may not be corporeally present in India at the time of the commission of the offence, in view of Section 2 of the I. P.

C. where a man was indicted of an offence whose ingredients occurred within the territory of India, the conviction was correct even though he was not corporeally present within the territory of India. The fastening of criminal liability on that man, who was a foreigner, was not to give any extra-

territorial operation to the law inasmuch as the exercise of criminal jurisdiction in the case, where all the ingredients of the offence occurred within the municipal territory which was under exercise of municipal jurisdiction. Thus, the Code is not confined in its application to Indian citizens but it extends to foreign citizens also within territorial limits. The Code does not exempt anybody. Under Section 2, every person is liable to punishment under the Penal Code.