

F 7746

(Pages : 2)

Reg. No.....

Name.....

**FOURTH SEMESTER LL.B. (THREE YEAR) AND EIGHTH SEMESTER LL.B.
(FIVE YEAR) DEGREE EXAMINATION, DECEMBER 2017**

**CRIMINAL PROCEDURE CODE, JUVENILE JUSTICE ACT, AND PROBATION OF
OFFENDERS ACT—II**

(Three Year LL.B.—Regular/Supplementary)

[Five Year LL.B.—Supplementary/Mercy Chance]

Time : Three Hours

Maximum : 80 Marks

Part A

Answer any five questions.

Each question carries 4 marks.

1. "Every offence shall ordinarily be inquired into and tried by a court within whose local jurisdiction it was committed" Comment examining the exceptions if any in brief.
2. Give a brief description of the different processes by which the court may compel appearance of the accused or witnesses before it.
3. Explain commitment of case to court of session and consolidation of cases and discuss the criminal court proceedings relating to them.
4. Discuss the rights of the accused person at the trial.
5. Explain charge and discuss alteration of charge and the procedure there after.
6. What is anticipatory bail ? Examine the powers of Magistrate, appellate court and court of session in granting it.

(5 × 4 = 20 marks)

Part B

Answer any three questions.

Each question carries 10 marks.

7. It appears that the accused has committed an offence which may amount to theft, receiving stolen property or criminal breach of trust. He is charged only for theft. Can he be convicted for criminal breach of trust ? Discuss. ✓
8. A magistrate without issuing process for the appearance of the accused, dismisses the complaint under section 203 of the Cr. P. C. He also passed an order against the accused for compensation to be paid to the complainant. The accused refuses to pay the compensation. Decide.

Turn over

9. The accused commits theft in the same house, three times, in three consecutive months. Discuss, whether he can be tried at one trial under one charge for all the offences.
10. A person is charged with theft, tried and convicted. On the same facts whether he can be charged with robbery and tried. Discuss.

(3 × 10 = 30 marks)

Part C

Answer any two questions.

Each question carries 15 marks.

11. Explain joinder of charges and the rules thereof. Discuss the effect of omission to frame charge, or absence of or error in charge. What is double jeopardy and protection against self-incrimination?
12. Describe the procedure for trial of summons cases by Magistrates, Summary trial and trial before Court of Sessions.
13. Explain the process relating to custodial and non-custodial treatment of juveniles under the Juvenile Justice Act.

Explain Probation, remission and commutation of sentence.

(2 × 15 = 30 marks)

F 4987

(Pages : 2)

Reg. No.....

Name.....

**EIGHTH SEMESTER LL.B. (FIVE YEAR) AND FOURTH SEMESTER LL.B.
(THREE YEAR) DEGREE EXAMINATION, NOVEMBER 2015**

**CRIMINAL PROCEDURE CODE, JUVENILE JUSTICE ACT AND PROBATION OF
OFFENDERS ACT—II**

(Regular/Supplementary)

Time : Three Hours

Maximum : 80 Marks

Part A

*Answer any five questions.
Each question carries 4 marks.*

- I. (a) What is charge ? What are the basic requirements of charge ? Discuss the effect of omission to frame charge or error in charge.
- (b) Explain what do you mean by double jeopardy. What is the protection against doubled jeopardy as provided by the G. P.C.
- (c) Examine whether the accused can be examined as a witness. What is the protection against self incrimination ?
- (d) What is meant by compounding of offences ? What are the rules regarding compounding of offences ? What is the effect of compounding of offences ?
- (e) What is probation ? Discuss the power of the court to release certain offenders on probation of good conduct.
- (f) Discuss the provisions regarding non-custodial treatment of Juveniles under the Juvenile Justice Act.

(5 × 4 = 20 marks)

Part B

*Answer any three questions.
Each question carries 10 marks.*

- II. (a) An offence is committed either in the local jurisdiction of the criminal court at place A or B and it is quite uncertain as to the place of commission of the offence. The offence is ordered to be tried in the local jurisdiction of the criminal court at place A. The accused objects to it on the ground that his ordinary place of residence is not A. Decide.
- (b) An offence punishable with imprisonment for a term exceeding one year has been committed by the accused. The criminal court having jurisdiction to try the offence takes cognizance of the offence only after the expiry of 15 months after the commission of the offence. The accused objects to it on the ground that the period of limitation is over. Decide.

Turn over

- (c) The accused is tried for causing grievous hurt to another and convicted. The injured person thereafter dies. He is tried again for culpable homicide. The accused objects to it on the ground that he has already been tried and convicted on the same facts. Examine whether the objection of the accused is maintainable.
- (d) The trial of the accused for voluntarily causing hurt by dangerous weapon under Section 324 I.P.C. is pending before the court. The person to whom the hurt is caused desires to compound the offence. Can he do so ? Advise him.

(3 × 10 = 30 marks)

Part C

*Answer any two questions.
Each question carries 15 marks.*

- III. (a) Describe the circumstances justifying the disposal of criminal cases without full trial.
- (b) Discuss the principal features of elements of fair trial.
- (c) Discuss the powers of the appellate court. What are the circumstances justifying the subordinate court to make a reference to the High Court under Section 395 (1) of the code of Criminal Procedure ? Explain.

(2 × 15 = 30 marks)

F 4646

(Pages : 2)

Reg. No.....

Name.....

EIGHTH SEMESTER LL.B. (FIVE YEAR) AND FOURTH SEMESTER LL.B. (THREE YEAR) DEGREE EXAMINATION, DECEMBER 2016

CRIMINAL PROCEDURE CODE, JUVENILE JUSTICE ACT AND PROBATION OF OFFENDERS ACT—II

(Three Year LL.B.—Regular/Supplementary)

[Five Year LL.B.—Supplementary]

Time : Three Hours

Maximum : 80 Marks

Part A

Answer any five questions.

Each question carries 4 marks.

- I. (a) Discuss the procedure relating to summons, proclamation and warrant as process to compel appearance.
- (b) Discuss the object and procedure relating to commitment of cases to court of sessions.
- (c) What is charge ? Discuss the basic elements of charge and alternation of charge.
- (d) Explain anticipatory bail. Discuss the powers and jurisdictions and procedure of Magistrate, appellate courts and courts of revision relating to it.
- (e) Explain double jeopardy and the protection afforded to the accused.
- (f) Discuss protection against self incrimination and the accused being tried as a witness.

(5 × 4 = 20 marks)

Part B

Attempt any three questions.

Each question carries 10 marks.

- II. (a) The accused was convicted for a charge under section 379 IPC for theft. But it was found that section 406 (Criminal breach of trust) and not section 379 applied to his case. Examine whether conviction should be converted to one under section 406 IPC and not under section 379 IPC. 221
- (b) A Magistrate arrested a person under section under S. 44 (1) and detained him in custody beyond 24 hours without obtaining a remand order under section 167 (1) CR. P.C by producing him before another Magistrate. Examine the legality of the action of the magistrate arresting.
- (c) The offence in respect of which a person may be arrested is not registered but he apprehends that he may be arrested at any time for a non bailable offence. He applies for a bail. But no bail has been granted. What is his remedy ? Advice him. Anti

Turn over

- (d) Where two cases exclusively triable by courts of sessions. One instituted on a police report under section 173 Cr.P.C. and the other instituted on a criminal complaint arose out of the same transaction it was pointed out that there was the risk of two courts coming to conflicting findings. Discuss the solution to obviate such a risk. *Consideration*

(3 × 10 = 30 marks)

Part C

Answer any two questions.

Each question carries 15 marks.

- III. (a) Discuss the circumstances in which bail is mandatory. Examine the circumstances justifying release on bail in non-bailable offence. What is anticipatory bail? When and by whom and under what circumstances anticipatory bail is granted? Discuss.
- (b) Describe the procedure for the trial of summons cases by Magistrates. What are the special features of summary trial? Explain trial before court of sessions.
- (c) Explain admonition probation and custodial and non-custodial treatment under Juvenile Justice Act. Describe the machinery under the Juvenile Justice Act for dealing with cases arising from juvenile delinquency. What are the powers of the appellate court?

(2 × 15 = 30 marks)

F 2580

(Pages : 2)

Reg. No.....

Name.....

**EIGHTH SEMESTER LL.B. (FIVE YEAR) AND FOURTH SEMESTER LL.B.
(THREE YEAR) DEGREE EXAMINATION, OCTOBER 2018**

**CRIMINAL PROCEDURE CODE, JUVENILE JUSTICE ACT AND PROBATION OF
OFFENDERS ACT—II**

(Three Year LL.B. [Regular/Supplementary])

[Five Year LL.B.—Supplementary/Mercy Chance]

Time : Three Hours

Maximum : 80 Marks

Part A

Answer any five questions.

Each question carries 4 marks.

1. Under what circumstances and by which court can an offence committed outside India be inquired into or tried in India ?
2. What is meant by commencement of proceedings ? When can a complaint be dismissed ?
3. Explain the distinction between 'acquittal' and 'discharge'.
4. What is a 'charge' ? How is a charge different from FIR and 'charge sheet' ? Discuss the effects of errors in a charge.
5. Briefly explain the powers of the Government regarding suspension, remission, and commutation of sentences.
6. When is an appeal not abated on the ground of death of the accused ?

(5 × 4 = 20 marks)

Part B

Answer any three questions.

Each question carries 10 marks.

7. 'A' is charged by a Magistrate and convicted by him of voluntarily causing hurt to 'B'. Afterwards 'A' is tried for voluntarily causing grievous hurt to 'B' on the same facts. Discuss the legality of the second trial. ✓ 221(1)
8. 'A' rescues 'B', a person in lawful custody and in so doing causes grievous hurt to 'C', a constable in whose custody 'B' was. Can 'A' be charged and tried for the offences under sections 225 and 333 of the I.P.C. at the same time ? ✓ 220(1)

Turn over

9. 'R' files a petition before the Supreme Court for the transfer of his case, which is pending before the Madras High Court to the High Court at Bombay on the ground that he is unable to get the services of good senior advocate at Madras. Will he succeed ?
10. A chief Judicial Magistrate confers pardon to an accomplice 'X' at the stage of inquiry for the offence of theft committed with the aid of his servant 'Y'. Decide its validity.

(3 × 10 = 30 marks)

Part C

*Answer any two questions.
Each question carries 15 marks.*

11. Compare and contrast the provisions of Cr. P.C. for the trial of a summons case and for the trial of warrant cases.
12. Define bail. Distinguish between ordinary bail and anticipatory bail ? What are the principles governing the grant of bail in bailable and non-bailable offences? Cite relevant judicial decisions.
13. Explain briefly the powers of a Court of Revision and the general principles to be followed while exercising such powers. What are the limitations put by the Code of Criminal Procedure on Revision of orders of subordinate criminal courts ?

(2 × 15 = 30 marks)

F 5769

(Pages : 2)

Reg. No.....

Name.....

**EIGHTH SEMESTER LL.B. (FIVE YEAR) AND FOURTH SEMESTER LL.B.
(THREE YEAR) DEGREE EXAMINATION, OCTOBER 2019**

**CRIMINAL PROCEDURE CODE, JUVENILE JUSTICE ACT AND PROBATION OF
OFFENDERS ACT-II**

(Three Year LL.B.—Regular/Supplementary)

[Five Year LL.B.—Supplementary/Mercy Chance]

Time : Three Hours

Maximum : 80 Marks

Part A

Answer any five questions.

Each question carries 4 marks.

1. Write a note on ordinary place of trial. What are exceptions to the general rule ?
2. Briefly explain the processes to compel appearance of the accused or of witnesses before a criminal court.
3. What are the essentials of a judgement ? What is the mode of its delivery ? Can a criminal court alter or revise its own judgement after it is signed ?
4. Write a note on 'plea bargaining'.
5. What do you understand by 'anticipatory bail' ? When is it granted and when it may be refused ?
6. Briefly discuss the law relating to appeal against acquittal. Refer to decided cases.

(5 × 4 = 20 marks)

Part B

Answer any three questions.

Each question carries 10 marks.

7. 'A', was charged before the Court of Session and convicted for an offence of culpable homicide of 'B'. Decide whether 'A' may be subsequently tried on the same facts for the murder of 'B'. ✓ 22/6
8. A Magistrate sentences 'B', the accused to pay a fine but omits to pass a sentence of imprisonment in default of payment of fine. Can the Magistrate subsequently pass such sentence ? 362
9. A Chief Judicial Magistrate conducted a trial against 'X', an accused, for an offence punishable under section 326 of the Indian Penal Code and convicted and sentenced him to undergo rigorous imprisonment for 5 years. 'X' filed a petition for suspension of sentence, so that he could file an appeal. The Court dismissed the petition. Can it be challenged before the higher forum ? Decide.

Turn over

10. The Court of Session passes a sentence of imprisonment against 'A' for a term of two months. Discuss the provision of appeal against the order. ✓

376(b)

(3 × 10 = 30 marks)

Part C

Answer any two questions.

Each question carries 15 marks.

11. Discuss briefly the principal features of a fair criminal trial.
12. What is a 'charge'? What are the contents of a charge? Explain the principle of separate charges for distinct offences. Are there any exceptions? When can multiple offences be tried in the same trial? What do you understand by joinder of charges?
13. Discuss the provisions of Cr.P.C. with regard to 'Reference' and 'Revision'. Refer to judicial decisions.

(2 × 15 = 30 marks)

F 7544

(Pages : 2)

Reg. No.....

Name.....

**EIGHTH SEMESTER LL.B. (FIVE YEAR) AND FOURTH SEMESTER LL.B.
(THREE YEAR) DEGREE EXAMINATION, NOVEMBER 2020**

**CRIMINAL PROCEDURE CODE, JUVENILE JUSTICE ACT AND PROBATION OF
OFFENDERS ACT-II**

5 Year LL.B.—(2000—2010 Admissions—Supplementary/Mercy Chance)

3 Year LL.B.—(Prior to 2018 Admissions—Supplementary/Mercy Chance)

Time : Three Hours

Maximum : 80 Marks

Part A

Answer any five questions.

Each question carries 4 marks.

1. Explain the elements of fair trial and discuss the rights of the accused person at the trial.
2. Explain charge and discuss the basic rules regarding alteration of charge and joinder of charges.
3. What is double jeopardy ? Discuss protection against self incrimination and prohibition of double jeopardy, examining the relevant provisions of the code of criminal procedure.
4. What is anticipatory bail ? Explain the circumstances in which anticipatory bail is issued.
5. Examine when there can be disposal of criminal cases without full trial.
6. Explain the manner of disposal of property produced in court at different stages of the case.

(5 × 4 = 20 marks)

Part B

Answer any three questions.

Each question carries 10 marks.

7. A is tried for causing grievous hurt and convicted. The person injured afterwards succumbs to the injuries and dies. A is tried again for culpable homicide as death had not occurred during the culmination of the first trial. A objects it pleading protection against double jeopardy. Decide.
8. The accused was convicted after being charged under Section 379 IPC for theft. But it was found that Section 406 IPC (criminal breach of trust) and not section 379 IPC applied to the case. What is the remedy Examine. 221 (1)
9. An offence including the possession of stolen property is being tried by the court within whose local jurisdiction the theft was committed. Objection is taken that the offence is completed within the jurisdiction of the court within whose local limits the subject matter viz, the stolen property was received knowing that the property is stolen and so the offence is to be tried by that court. Examine and decide.

Turn over

10. The accused is indicted with an offence which may amount to theft receiving stolen property or criminal breach of trust. But he is charged only for theft and convicted for criminal breach of trust. Examine the propriety of the conviction. 221 (1) 221 (2)

(3 × 10 = 30 marks)

Part C

Answer any two questions.

Each question carries 15 marks.

11. Explain summary trial and discuss trial of summons cases by Magistrate.
12. Discuss the jurisdiction of criminal courts in inquiry and trial examining the application of Section 177 of the Code of Criminal Procedure and its exceptions.
13. Write notes on :
- (a) Limitation for taking cognizance of offences.
 - (b) Accused as witness.
 - (c) Probation and custodial treatment of Juveniles.
 - (d) Compounding of offences.

(2 × 15 = 30 marks)

**EIGHTH SEMESTER LL.B. (FIVE YEAR) AND FOURTH SEMESTER LL.B.
(THREE YEAR) DEGREE EXAMINATION, MAY 2022**

**CRIMINAL PROCEDURE CODE, JUVENILE JUSTICE ACT AND PROBATION OF
OFFENDERS ACT—II**

5 year LL.B. (2000—2010 Admissions—Supplementary/Mercy Chance)

3 year LL.B. (Prior to 2018 Admissions—Supplementary/Mercy Chance)

Time : Three Hours

Maximum : 80 Marks

Part A

*Answer any five questions.
Each question carries 4 marks.*

1. Explain the concept of double jeopardy.
2. Discuss the procedure relating to disposal of cases without full trial.
3. Enumerate and explain the provisions relating to granting of bail.
4. Discuss the provisions relating to commutation of sentences.
5. Explain the provisions relating to custodial treatment of juvenile offenders.
6. Write a short note on compounding of offence. Distinguish between compoundable and non-compoundable offences.

(5 × 4 = 20 marks)

Part B

*Answer any three questions.
Each question carries 10 marks.*

7. In an offence under S. 138 of the Negotiable Instrument Act, 'A' wants to file a complaint against 'B'. Advise 'A' on jurisdiction of the Court.
8. In an offence, the cause of action was committed in a place X and the consequences were felt in place Y. Discuss the jurisdiction of local courts at X and Y.
9. 'A' is accused of theft on one occasion and of causing grievous hurt on another occasion. 'A' is jointly tried for the two offences. Discuss.
10. An accused person had been tried in an earlier case for offence under S. 457 and S.380 of IPC and he had been acquitted thereof. The verdict of acquittal was not challenged at all. He is again charged for an offence under the same Sections. Decide.

(3 × 10 = 30 marks)

Turn over

Part C

*Answer any two questions.
Each question carries 15 marks.*

11. Write an essay on cognizance of offence and limitations for taking cognizance.
12. Explain the provisions in the Criminal Procedure Code relating to treatment as to persons of unsound mind and mentally disabled.
13. What do you mean by charge ? Discuss the basic rules for alteration of charges and examine the effects of omission to frame or absence of, or error in charge.

(2 × 15 = 30 marks)

