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(Pages : 2)

Reg. No.....

Name.....

UNITARY LL.B. (THREE YEAR) DEGREE EXAMINATION, OCTOBER 2023

Fourth Semester

UL-16—LAW OF EVIDENCE

(2021 Admissions—Regular/2018 to 2020 Admissions—Supplementary)

Time : Three Hours

Maximum : 75 Marks

Part A

I. Write short notes on any *five* of the following. Each question carries 3 marks :

- 1 Leading questions.
- 2 Distinguish between public and private document.
- 3 Examination in chief and cross examination.
- 4 Presumption as to paternity of child.
- 5 Distinguish between May presume, shall presume and conclusive proof.
- 6 Dumb witness.

(5 × 3 = 15 marks)

Part B

II. Answer any *three* of the following. Each question carries 10 marks :

- 7 The one and the only witness in a murder case is Y, a 16 year old dumb girl. She is produced before the court. Explain the method of taking the evidence of this witness in this case.
- 8 A magistrate while recording confession statement to the accused failed to warn the accused that he is not bound to confess and that the statement might be used against him. The defence argues that the confession statement is not admissible owing to the failure on the part of the magistrate. Examine.
- 9 Three dying declaration were recorder in the case of alleged murder, one by doctor, and the other two by the police officer and the magistrate citing some discrepancies in the declaration the defence want all the declaration to be declared as inadmissible. Examine which of these declaration have more probative value.

Turn over

- 10 The accused was seen at the place of the commission of crime, by several witnesses. The accused produced a related witness to prove that he was present elsewhere, when the incident occurred. Decide citing the rules relating to Alibi evidence.

(3 × 10 = 30 marks)

Part C

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

- 11 In a way circumstantial evidence is also direct, but that it is indirectly applied. Discuss how the courts have evolved the rules relating to circumstantial evidence.
- 12 What is dying declaration and explain the rules regarding its admissibility ?
- 13 Explain the principles of Estoppel. What are the forms of estoppel, Evidence Act provides for ?

(2 × 15 = 30 marks)