

**HONS. 05 / 027/ 19**

**B.A., LL.B. (Hons.) DEGREE FIFTH SEMESTER EXAMINATION,  
NOVEMBER 2019**

**Time: 3 Hours**

**Maximum Marks: 50**

**CODE OF CRIMINAL PROCEDURE, 1973; JUVENILE JUSTICE (CARE AND  
PROTECTION OF CHILDREN) ACT 2015 AND PROBATION OF OFFENDERS  
ACT, 1958**

**MARKS: 50**

**All Questions Carry 10 Marks Each**

**UNIT I**

1. The Code of Criminal Procedure, 1973 provides for the organisation, duties, functions and powers of various functionaries under it. Examine them briefly.

**OR**

2. What the role of an Executive Magistrate as provided in the Code of Criminal Procedure? How different is it from that of a Judicial Magistrate?

**UNIT II**

3. The SHO of a police station in Kochi receive information regarding the commission of an offence u/s 375 IPC punishable u/s 376 of IPC. Examine in detail the various steps involved in the investigation into the said matter.

**OR**

4. The cases of D K Basu vs. State of West Bengal (AIR 1997 SC610) and Joginder Kumar vs. State of U.P [(1994) 4 SCC 260] proved to be landmark decisions in relation to arrest. Examine in detail the safeguards against unlawful arrest provided in the Code of Criminal Procedure and the ones that have evolved through cases.

### **UNIT III**

5. Discuss the relevance of cases of Shah Bano Begum and Daniel Latifi in connection with Section 125 of the Code of Criminal Procedure, 1973.

**OR**

6. An under trial prisoner on bail absconds when the trial commences. His sureties also could not be traced by the police. How can the Trial court ensure his presence in the court during trial? Examine in detail the provisions in the Code of Criminal Procedure, 1973 to compel appearance of persons and production of things in Courts.

### **UNIT IV**

7. How important is to ensure a fair trial to an accused in an adversarial criminal system? How are the principles of fair trial incorporated into the Code of Criminal Procedure, 1973?

**OR**

8. Elaborate on the provisions in the Code of Criminal Procedure, 1973 relating to appeal in criminal cases?

### **UNIT V**

9. Critically examine the Juvenile Justice (Care and Protection of Children) Act, 2015 comparing it with the earlier legislations of 1986 and 2000.

**OR**

10. What are the main features and objectives of the Probation of Offenders Act, 1958? Examine the effectiveness of this system in a reformatory system of punishment?

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