

**HIGH COURT OF KERALA  
JUDICIAL TEST (HIGHER) 2020  
PART-III, PAPER-III**

**CRIMINAL PROCEDURE**

Total Marks 100  
Time: 3 hrs

**PART A**

**Answer any SEVEN questions. Each carries 5 marks.**

Write short notes on the following:

1. Investigation, inquiry and trial
2. Release of accused on self bond
3. Marking of Exhibits admitted in evidence.
4. Particulars to be shown in the endorsement on certified copies of judgments as provided under Rule 240 of Criminal Rules of Practice.
5. Police custody and judicial custody
6. Section 482 Cr.P.C.
7. Search
8. Double jeopardy
9. Juvenile in conflict with law.
10. Plea bargaining

[7x5=35]

**PART B**

**Answer any TWO questions. Each carries 10 marks.**

1. "A" gave an information to police regarding commission of a cognizable offence. The police officer informed "A" that he would conduct a preliminary inquiry regarding the truth of the information and register the FIR. Is it legal? Elucidate.
2. 'A' is arrested on the allegation of having committed theft and is remanded to judicial custody. Police has not completed the investigation and filed final report even after 60 days. What right, if any, would accrue on 'A'? Explain with reasoning.

...2.

3. "A" is arrested for committing theft. During interrogation "A" discloses various other offences committed by him within the limits of the same police station. The investigation gets prolonged and filing of the final report gets delayed. Should "A" be released on bail? What are the options available to the police and the Magistrate concerned?
4. "A" made a statement at Ernakulam which is defamatory to "B". It was broadcast by TV channels across the State. "B" is residing at Kannur. "B" filed a complaint for offence punishable u/s 500 I.P.C. before the Judicial First Class Magistrate, Kannur. Has the Magistrate got territorial jurisdiction to try the offence? Explain with relevant provisions.

[2x10=20]

### **PART C**

**Answer any THREE questions. Each carries 15 marks.**

1. What do you mean by Proclamation and attachment? When and under what circumstances can an order of Proclamation and Attachment be made?
2. What is the essential difference between bail and anticipatory bail? What are the factors to be considered for grant of regular bail and anticipatory bail?
3. Discuss the procedure to be followed while recording confession of an accused u/s 164 of the Cr.P.C with special reference to the provisions in the Criminal Rules of Practice.
4. What are the powers of the Court with regard to the release of certain offenders under the Probation of Offenders Act, 1958? Explain the procedure to be followed against an offender who breaches the condition of probation.
5. What are the circumstances under which Police can arrest a person without warrant? Discuss the rights of an arrested person.

[3x15=45]