



**RAMA
UNIVERSITY**

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FACULTY OF JURIDICAL SCIENCES

COURSE: B.A.LL.B. 1st Semester

SUBJECT: ADVANCE LEGAL WRITING SKILL-I

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LECTURE: 18

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Lecture-18



Available defenses to criminal cases largely depend on the categorization of the crime. In most states, criminal cases are categorized according to the seriousness of the crime committed. Citations and misdemeanors are generally the lowest in severity, resulting in fines and/or a short stay in jail.

Felony crimes are considered to be the most severe and could be punished by a longer sentence spent in prison, as opposed to a local jail. As previously mentioned, crimes may also be classified according to the nature of their conduct (crimes against a person, crimes against property, etc.).

For most crimes against a person, self-defense is a commonly utilized legal defense. This is especially true for cases that involve fighting or other altercations. Other common criminal defenses include:

- Intoxication;
- Duress;
- Necessity;
- Mistake;
- Insanity;
- Entrapment; and/or
- A strong, established alibi.

As previously mentioned, a criminal defendant is presumed innocent until proven guilty beyond a reasonable doubt. A defense which could excuse or justify their criminal behavior could prevent a criminal conviction, or reduce a criminal charge.

Indian Judiciary is one of the most efficient Judicial systems in the world. The Judiciary derives its powers from the Constitution of India. The existence of Courts is required to check the misuse of the powers conferred by the Legislature or the Executive. The Indian Judiciary is the guardian of the Constitution of India, along with being a custodian of the Fundamental Rights of the citizens.

The Judiciary is well established with quite a lengthy and complex hierarchy of courts. The judicial system has been established in such a way so that it caters the need of each and every

person of the country. The Judicial system in India is in the form of a pyramid, with the Supreme Court being at the top of the hierarchy. The hierarchy has been created in a manner that it is possible for a person even from a remote area to approach the courts to get their disputes resolved. The system is well equipped to deal with issues of the Union as well as State laws.

MCQ

1. Police file a charge sheet in the court &

- a. If police arrest a person
- b. If a person is suspected for anything c. If a person commit a crime
- d. If investigation proved the person is accused.

2. Who decided the guilty or innocence of victim?

- a. Judge
- b. Police
- c. Neighbor
- d. None of these

3. Right not to be ill treated or tortured during arrest or in custody written under :-

- a. Act 22
- b. Act 52

c. Act 43

d. Act 67

4. Act 22 contains :-

a. police has the Right to arrest any person without compliant

b. A boy under 15 years of age & women can't be used as evidence against the accused

c. Both (a) & (b)

d. None of these

5. D. K. Basu guideline include :-

a. The police official should wear, accurate & visible name tags with their identifications

b. A memo of arrest should be prepared at the time of arrest

c. Both (a) & (b)

d. None of these
