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இலங்கை அபிவிருத்தி நிர்வாக நிறுவகம்
SRI LANKA INSTITUTE OF DEVELOPMENT ADMINISTRATION



First Efficiency Bar Examination for officers of Sri Lanka
Administrative Service 2019(II)

Time: 03 hours

Criminal Law & Law of Evidence (01-III)

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• **Answer five (05) questions only**

1. i. The Constitution of Sri Lanka and the Establishments Code have provided interpretations for “Public Officer”. Explain how “Public Servant” is defined under the Penal Code. (10 Marks)
ii. Explain how the above definition under Penal Code differs from the way that public officer is defined in the Constitution and the Establishments Code. (10 Marks)
2. In presenting documentary evidence to the court, there are instances, when those are presented as primary evidence and secondary evidence. Explain in detail about primary documentary evidence and secondary documentary evidence (20 Marks)
3. A is the Divisional Secretary of Vijithapura Divisional Secretariat. On a working day, a group of persons dressed in civilian clothing entered A's room with B, the subject officer of the Land Division, in handcuffs. The group said that B was arrested for accepting a bribe from C. They showed their official identity cards and declared themselves as officers of the Commission to Investigate Allegations of Bribery or Corruption. At this point, A too remembered that C was involved in a prolonged land dispute. The Commission representatives recorded a statement from A and later, C, the complainant, and D, the management service officer in charge of social services, who was working at the same place when B took the bribe,
 - i. Which of the witnesses out of A, B, C, and D would the Commission use as witnesses of the prosecution in a legal proceeding? Discuss (12 Marks)
 - ii. Which of the witnesses out of A, B, C, and D can be used by the prosecution as eyewitnesses? Explain your answer. (08 Marks)

4. Write short notes on four (04) of the following offences which come under offences affecting the human body and offenses affecting life according to the Penal Code

- i. Murder
- ii. Culpable homicide not amounting to murder
- iii. Rape
- iv. Kidnapping from lawful guardianship
- v. Abduction
- vi. Criminal Force
- vii. Causing Hurt
- viii. Causing Miscarriage

(5X4 = 20 Marks)

5. A is a youth from Samagipura. After spending some time away from Samagipura, A returned to the village and says that he had been trained at the Police Training College during his absence from the village and is soon to be appointed to the police station in the area. Hearing this statement, B gave A a bottle of valuable foreign liquor saying that he needed to get a certain job done by the relevant police station. At this juncture, A promises to fulfill B's need and accepts the relevant tip. But, in fact, A was not trained in the police college and he does not hold any rank in the police

Explain whether A has committed an offence by describing the offence of Public Servant taking a gratification other than legal remuneration in respect of an official act in terms of the Penal Code

(20 Marks)

6. Write short notes on four (04) of the following according to the Evidence Ordinance,

- i. Admissions
- ii. Confessions
- iii. Facts
- iv. Order of examination
- v. Opinion of experts

(5X4 = 20 Marks)
