

## Examrace

# Legal Aptitude MCQs – Commonly Asked Questions for Exams – Must Know Topics and Concepts Part 1

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Directions Answer the following questions by applying legal principles in the given factual situations.

1. Legal Principle Culpable homicide - Whoever causes death by doing an act with the intention of causing death, or with the intention of causing such bodily injury as cause death, commits the offence of culpable homicide.

Factual Situation A knows Z to be behind a bush. B does not know it A, intending to cause, or knowing it to be likely to cause Z's death, induced B to fire at the bush. B fires and kills Z. Here B may be guilty of no offence; but A has committed the offence of culpable

- a) A does not have intention to cause Z's death
- b) Z was not behind the bush
- c) A has committed the offence of culpable homicide
- d) B does not know that A has the intention to cause Z's death

Ans: (c)

2. Legal Principle Right of private Defense against assault when there is risk of harm to innocent person - If in the exercise of the right of private Defense against an assault which reasonable causes the apprehension of death, the defender be so situated that he cannot effectually exercise that right without risk of harm to an innocent person, his right of private defense extends to the running of that risk.

Factual Situation A is attacked by a mob who attempt to murder him. He cannot effectually exercise his right of private defense without firing on the mob, and he cannot fire without risk of harming young children who are mingled with the mob. A commits no offence if by so firing he harms any of the children

- a) A has the right of private defense.
- b) A does not have the right of private defense
- c) A cannot use his right of private defense against mob
- d) A commits no offence if by so firing he harms any of the children.

Ans: (d)

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3. Legal Principle It is not necessary that the person abetted should be capable by law of committing an offence, or that he should have the same intention or knowledge as that of the abettor, or any guilty intention or knowledge.

Factual Situation A, with a guilt intention, abets a child or a lunatic to commit an act which would be an offence, if committed by a person capable by law of committing an offence, and having the same intention as A. Here A, whether the act be committed or not, is guilty of abetting an offence.

- a) A, has no intention of abetting a child or a lunatic
- b) an act which is an offence, done by a lunatic is not liable for that offence
- c) A, is not guilty of an offence as an abettor
- d) A, whether the act be committed or not is guilty of abetting an offence.

Ans: (d)

4. Legal Principle Murder — Except in the cases hereinafter excepted, culpable homicide is murder, if the act by which the death is caused is done with the intention of causing death.

Factual Situation A Shoots Z with the intention of killing him. Z dies in consequence. A commit murder.

- a) A has no intention
- b) It is culpable Homicide
- c) the offence committed by A, is culpable homicide not amounting to murder
- d) A commit murder

Ans: (d)

5. Legal Principle If it is done with the intention of causing bodily injury to any person and the bodily injury intention to be inflicted in the ordinary course of nature to cause death.

Factual Situation A intentionally gives Z a sword-cut or club-wound sufficient to cause the death of a man in the ordinary course of nature. Z dies in consequence. Here, A is guilty of murder, although he may not have intended to cause Z's death.

- a) A is Quilty of murder although he may not have intended to cause Z's death
- b) An intentionally gives Z a sword-cut
- c) wound sufficient to cause death
- d) All of the above

Ans: (a)

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6. Legal Principle When culpable homicide is not murder - Culpable homicide is not murder if the offender, whilst deprived of the power of self-control by grave and sudden provocation, causes the death of the person who gave the provocation or causes the death of any other person by mistake or accident.

Factual Situation A, under the influence of passion excited by a provocation given by Z, intentionally kills Y, Z's child. This is murder, in as much as the provocation was not given by the child, and the death of the child was not caused by accident or misfortune in doing an act caused by the provocation.

- a) A has committed murder, as must as the provocations be not given by the child.
- b) A, not excited by provocation.
- c) whether provocation given by the child.
- d) whether it causes as culpable homicide not amounting to murder.

Ans: (a)

7. Legal Principle Wrongful restraint- Whoever voluntarily obstructs any person to prevent that person from proceeding in any direction in which that person has a right to proceed, is said wrongfully to restrain that person.

Factual Situation Abstracts a path along which Z has a right to pass. A not believing in good faith that he has a right to stop the path. Z is thereby prevented from passing. A wrongfully restrains Z.

- a) A obstructs a path
- b) Z has no right to pass
- c) A wrongfully restrains Z
- d) A not obstruct the path

Ans: (c)

8. Legal Principle Wrongful confinement- Whoever wrongfully restrains any person in person in such a manner as to prevent that person from proceedings beyond certain circumscribing limits, is said 'wrongfully to confine' that person.

Factual Situation A Causes Z to go within a walled space, and locks Z in. A is thus prevented from proceeding in any direction the circumscribing line of wall. A wrongfully confines Z.

whether it is

- a) wrongful confinement
- b) wrongful trespass

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c) wrongful restrains

d) All of the above

Ans: (a)

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