PROVISIONAL ANSWER KEY

Paper: 044 - Criminal Procedure Code Date of Test 16-05-2023 Question1:-Summons to Honorary Medical Officers working in Government Medical Institutions shall be served through A:-District Medical Officer to whom he is subordinate B:-Directly by serving the summonses on them C:-Officer-in-charge of such institutions D:-None of the above Correct Answer:- Option-C Question2:-The Executive Magistrate, if he receives information that a person in his local jurisdiction may commit a cognizable offence, may require the person to execute a bond for good behaviour, with or without sureties as per section; A:-Section 222 B:-Section 123 C:-Section 342 D:-Section 109 Correct Answer:- Option-D Question3:-_____ A:-Any Court _ may, if it thinks fit impound any document or thing produced before it under the Cr. PC; B:-Chief Judicial Magistrate Court C:-District Collector D:-Addl. Chief Judicial Magistrate Correct Answer:- Option-A Question4:-A complaint against a Police Officer shall not be referred to by a Magistrate under Section. 202 of Cr.PC to any person other than: A:-DGP B:-Magistrate subordinate to him C:-Commissioner of Police D:-CIM Correct Answer:- Option-B Question5:-Assistant Public Prosecutors are appointed in every district as per Section of Cr.PC. A:-35 B:-25 C:-15 D:-45 Correct Answer:- Option-B Question6:-Section 28 of Cr.PC provides for A:-Sentences which Magistrates may pass B:-Sentences which High Court may pass C:-Sentences which High Court and Sessions Judges may pass D:-Sentences which Magistrates and High Court may pass Correct Answer:- Option-C Question7:-Private pleaders are permitted as per Rule ______ of the Criminal Rules of Practice Kerala 1982. A:-R. 49 B:-R. 67 C:-R. 34 D:-R. 30 Correct Answer:- Option-D Question8:-Rule 143 of Criminal Rules of Practice Kerala provides for A:-Tabular statement to be given in appeal judgment B:-Summary dismissal appeal C:-Delay in trials to be explained D:-Calendar statement when to be submitted Correct Answer:- Option-A Question9:-Every Judicial Magistrate shall submit during the first week of every month a statement in Administrative Form No. 45 showing pending cases on his file at the close of previous month to A:-Chief Judicial Magistrate B:-District Collector C:-District Magistrate D:-High Court of Kerala Correct Answer:- Option-A Question10:-Committal warrants are issued as per Rule _____ of Criminal Rules of Practice Kerala. A:-R. 122 B:-R. 162 C:-R. 193 D:-None of the above Correct Answer:- Option-B Question11:-Section 182 (2) deals with A:-Bigamy B:-Defamation C:-Adultery D:-Fabricating false evidence Correct Answer:- Option-D Question12:-A warrant for levy of a fine by attachment and sale under clause (a) of sub-section (1) of section 421 of Cr.PC shall be in A:-Form No. 64 of Schedule I B:-Form No. 24 of Schedule VI C:-Form No. 43 of Schedule II D:-Form No. 19 of Schedule V Correct Answer:- Option-C Question13:-Section 175 empowers a police officer to A:-To prepare case diary B:-To arrest a person C:-Issue warrant D:-To summon persons Correct Answer:- Option-D

Question14:-Bribery according to the first schedule of Cr.PC is A:-Non-bailable and non-cognizable B:-Non-cognizable and bailable B:-Non-cognizable and bailable C:-Bailable and cognizable D:-Non-bailable and cognizable Correct Answer:- Option-B Question15:-Section 456 Cr.PC provides for A:-Destruction of libellous and other matter B:-Power to sell perishable property C:-Power to restore possession of immovable property D: Dend required form minor D:-Bond required from minor Correct Answer:- Option-C Question 16:-Which section of Cr.PC provides for the set off of, the period of detention already undergone from the period of imprisonment? A:-Section 428 B:-Section 432 C:-Section 228 D:-Section 12 Correct Answer:- Option-A Question17:-Other than Supreme Court and High Court, how many classes of criminal courts are established in every State by Section 6? A:-5 B:-6 C:-4 D:-3 Correct Answer:- Option-C Question 18:-The Judge of a Court of Session is appointed by A:-Chief Justice of High Court B:-High Court C:-Governor D:-Chief Justice of India Correct Answer:- Option-B Question19:-Special Judicial Magistrates are appointed under section of Cr.PC. A:-25 B:-13 C:-28 D:-12 Correct Answer:- Option-B Question20:-By which amendment was section 53A added to Cr.PC? A:-Criminal Law Amendment Act 25 of 2005 B:-Criminal Law Amendment Act 34 of 2013 C:-Criminal Law Amendment Act 13 of 2009 D:-Criminal Law Amendment Act 24 of 2018 Correct Answer:- Option-A Question21:-Chapter _ of Cr.PC deals with Summons. Part A:-Chapter VIII Part B B:-Chapter XX Part D C:-Chapter XII Part A D:-Chapter VI Part A Correct Answer:- Option-D Question22:-Section 151 Cr.PC provides for A:-Local inquiry B:-Information in cognizable cases C:-Arrest to prevent the commission of cognizable offence D:-Procedure for investigation Correct Answer:- Option-C Question23:-Which provision of Cr.PC empowers a police officer to release an accused when evidence is deficient? A:-169 B:-124 C:-128 D:-100 Correct Answer:- Option-A Question24:-Special Executive Magistrates are by appointed under section 21 Cr.PC by A:-State Government B:-High Court C:-Governor D:-Chief Justice Correct Answer:- Option-A Question25:-The contents of a charge are provided under A:-Chapter XVII Section 213 B:-Chapter XIV Section 214 C:-Chapter XVII Section 210 D:-None of the above Correct Answer:- Option-D Question26:-When a Court of Session passes a death sentence A:-It shall be implemented within 2 months B:-Shall not be executed unless confirmed by the High Court C:-Two judges of High Court shall sign the confirmation D:-Both (B) and (C) are correct Correct Answer:- Option-D Question27:-Which Rules shall apply to cases where an accused has appeared but has subsequently absconded? A:-Rules 20-22 B:-Rules 16-18 C:-Rules 50-40 D:-None of the above Correct Answer:- Option-B

Question28:-Chapter IV of Criminal Rules of Practice Kerala deals with A:-Absconding accused B:-Appointment of Pleaders C:-Presentation of Pleadings, Reports, Documents and Remands D:-Recording of Confessions Correct Answer:- Option-C Question29:-Every vakkalath shall unless otherwise permitted by Court be in A:-Judicial Form No. 57 B:-Judicial Form No. 28 C:-Judicial Form No. 92 D:-None of the above Correct Answer:- Option-A Question30:-Contents of Affidavit are provided in: A:-Chapter VI R. 41 B:-Chapter VII R. 29 C:-Chapter VIII R. 1 D:-Chapter VI R. 38 Correct Answer:- Option-D Question31:-When precise age of the accused is relevant, _____ A:-Certificate from the concerned Village Officer shall be obtained. B:-Opinion of a Medical Expert C:-Opinion of the Judge D:-Certificate from the School Correct Answer:- Option-B Question32:-Entry of valuables in property register is provided in A:-Chapter XVI Rule 45 B:-Chapter XV Rule 22 C:-Chapter X Rule 4 D:-Chapter XXI Rule 183 Correct Answer:- Option-D Question33: After release and on arrival at his residence, a convict shall within 24 hours notify at the nearest police station that he has taken up residence as per rule A:-163 B:-189 C:-172 D:-89 Correct Answer:- Option-C Question34:-Where an advocate is convicted for a criminal offence or where the conduct of an advocate is adversely commented upon, the Court shall forward the copy of the judgment to: A:-Bar Council of Kerala, Cochin through High Court B:-Bar Council of India through High Court C:-To the Court where the advocate is practicing D:-None of the above Correct Answer:- Option-A Question35:-High Court's power of revision in provided under section of Cr PC A:-398 B:-401 C:-498 D:-402 Correct Answer:- Option-B Question36:-Which section deals with the power of the Court of Sessions to take cognizance of offences? A:-Section 200 Cr.PC B:-Section 191 Cr.PC C:-Section 194 Cr.PC D:-Section 193 Cr.PC Correct Answer:- Option-D Question37:-Unlawful compulsory labour under section 374 IPC is A:-Non-cognizable and bailable B:-Non-bailable and cognizable C:-Non-bailable and non-cognizable D:-Cognizable and bailable Correct Answer:- Option-D Question38:-Section 438 Cr.PC provides for A:-Power to commute sentence **B:-Anticipatory bail** C:-Remission or commutation of sentence D:-Discharge from custody Correct Answer:- Option-B Question39: Which courts have the authority to reduce the amount of bail required by a police officer or Magistrate? A:-Supreme Court and High Court B:-High Court and Magistrate Court C:-High Court and Court of Session D:-None of the above Correct Answer:- Option-C Question40:-A Metropolitan Magistrate's judgment shall record: A:-The date of commission of the offence B:-The serial number of the case C:-The offence complained or proved D:-All of the above Correct Answer:- Option-D Question41: The language for the courts other than High Court shall be determined by: A:-Concerned Courts B:-Chief Justice of the State C:-State Government D:-Central Government

Correct Answer:- Option-C Question42:-Police officer's power to require attendance of witness is provided in A:-Section 160 B:-Section 45 C:-Section 145 D:-None of the above Correct Answer:- Option-A Question43:-Who can effect an arrest? A:-Police B:-Magistrate C:-Any common man D:-All of the above Correct Answer:- Option-D Question44:-The classification of witnesses is provided in Rule ______ of Criminal Rules of practice Kerala 1982. A:-Rule 210 B:-Rule 310 C:-Rule 211 D:-Rule 322 Correct Answer:- Option-A Question45:-Form 14 of Criminal Rules of practice Kerala 1982 provides for A:-Notice to complainant B:-Form of remand warrant C:-Examination of accused D:-None of the above Correct Answer:- Option-B Question46:-Rule 137 of Criminal Rules of practice Kerala 1982 provides for A:-List of witness to be appended to judgment B:-Value of property C:-Reasons for severe or lenient punishment D:-Provision for conviction Correct Answer:- Option-C Question47:-In all cases women are convicted for murder of their infant children, a reference should be made through the High Court to the Government, with the opinion of the Judge, as per A:-Rule 23 B:-Rule 67 C:-Rule 143 D:-Rule 131 Correct Answer:- Option-D Question48:-The person against whom an offence is alleged to have been committed shall be described by A:-His position **B:-His address** C:-Both (A) and (B) D:-None of the above Correct Answer:- Option-D Question49:-Seal with date stamp of the court shall be made on A:-Affidavits **B:-Complaints** C:-All papers D:-FIRs Correct Answer:- Option-C Question50:-Summons issued to accused and witnesses shall be ordinarily signed by A:-Magistrate B:-Chief Ministerial Officer C:-Bench clerk D:-None of the above Correct Answer:- Option-B Question51:-What is the effect of compounding an offence? A:-Discharge of accused B:-Dismissal of the complaint C:-Acquittal of the accused D:-None of the above Correct Answer:- Option-C Question52:-Which of the following statements are correct? A:-Every summons shall be served by a police officer or officer of the court B:-Every summons shall be in writing, signed by the presiding officer C:-Both (A) and (B) are wrong D:-Both (A) and (B) are correct Correct Answer:- Option-D Question53:-Which of the following statements are wrong? A:-When an offence is committed during journey or voyage, it can be tried by a court with the local jurisdiction in the journey. B:-Kidnapping or abduction can be tried at the local jurisdiction where the accused is found. C:-Offences committed by letters can be tried at the court in whose jurisdiction letter was received. D:-If more than two courts have taken cognizance, the High Court can decide the jurisdiction. Correct Answer:- Option-C Question54:-With respect to joinder of charges, which of the following statements are correct? A:-Persons accused of the same offence committed in the course of the same transaction can be charged and tried together. B:-Persons accused of the an offence and persons accused of abetment of or attempt to commit such offence can be charged and tried together. C:-Persons accused of the different offences committed in the course of the same transaction can be charged and tried together. D:-All of the above Correct Answer:- Option-D Question 55:-With reference to the examination of complainant, which of the following statement is not true? A:-On receiving a complaint, the Magistrate shall examine the complainant and witness on oath before taking cognizance. B:-If the Magistrate decides to make over the case to another Magistrate, he shall examine the complainant.

C:-If the complainant is a public servant and the complaint is in writing, the Magistrate need not examine the complainant before taking cognizance D:-All of the above Correct Answer:- Option-B Question56:-Which section deals with the medical examination of the victim of rape? A:-164 - A B:-123 - B C:-164 - D D:-102 - C Correct Answer:- Option-A Question57: In the ordinary course, when an investigation cannot be completed within 24 hours, what is the maximum period of remand a Magistrate can grant? A:-90 days B:-15 days C:-45 days D:-120 days Correct Answer:- Option-B Question58: Any person aggrieved of the refusal of an officer-in-charge of the police station to record the information regarding the commission of a cognizable offence can A:-Send a complaint to DGP B:-Send a complaint to Superintend of Police C:-Send a complaint to the High Court D:-All of the above Correct Answer:- Option-B Question59:-What is the period of limitation to make objection to attachment of property by a person having interest in the property? A:-6 months B:-3 months C:-8 months D:-12 months Correct Answer:- Option-A Question60:-If the proclaimed person is not appearing, the attached property shall be A:-Sold after 6 months of attachment B:-Released C:-Sold immediately after attachment D:-Retained by the government Correct Answer:- Option-A Question61:-When can a police officer issue notice to a person to appear before him? A:-On receiving a complaint against him B:-On reasonable suspicion that he has committed a cognizable offence C:-On receiving credible information against him D:-All of the above Correct Answer:- Option-D Question62:-Which Section of Cr.PC provides for the arrest by a private person? A:-Section 12 B:-Section 57 C:-Section 43 D:-None of the above Correct Answer:- Option-C Question63:-When Magistrate send special summons for petty offences, the amount of fine shall not exceed A:-Five thousand rupees B:-Ten thousand rupees C:-Five hundred rupees D:-None of the above Correct Answer:- Option-D Question64:-Any member of public is bound to assist the Magistrate and police to prevent escape of a person under section ____ of Cr.PC A:-37 B:-43 C:-121 D:-15 Correct Answer:- Option-A Question65:-When a court desires to issue summons to a person outside its jurisdiction A:-The court shall send a police officer to arrest the person. B:-The summons shall be send to the respective Panchayat President. C:-The duplicate of such summons shall be sent to a Magistrate within whose local jurisdiction the person resides for his permission. D:-The duplicate of such summons shall be sent to a Magistrate within whose local jurisdiction the person resides. Correct Answer:- Option-D Question66:-A warrant of arrest shall ordinarily be directed to A:-The person to be arrested B:-One or more police officers C:-The District Magistrate D:-None of the above Correct Answer:- Option-B Question67:-When a person is absconding, the court may attach his property simultaneously with the issue of proclamation if the court is satisfied that the person A:-is about to dispose of the whole or any part of his property, or B:-is about to remove the whole or any part of his property from the local jurisdiction of the court C:-Both (1) and (2) applies D:-Only (1) applies Correct Answer:- Option-C Question68:-Who can warrant any police officer above the rank of a constable for search of place suspected to contain stolen property? A:-District Magistrate B:-Sub-divisional Magistrate C:-Magistrate of First Class D:-All the above Correct Answer:- Option-D

Question69:-The power of Supreme Court to transfer cases and appeals are provided under A:-Section 406 Cr.PC B:-Section 407 Cr.PC C:-Section 400 Cr.PC D:-None of the above Correct Answer:- Option-A Question70:-If a woman sentenced to death is found to be pregnant A:-Death sentence shall be commuted to imprisonment for life B:-Death sentence shall be implemented after 6 months of delivery C:-Decision shall be taken by the concerned High Court D:-Death sentence shall be implemented after 5 years of delivery Correct Answer:- Option-A Question71:-A magistrate may take cognizance of any offence A:-Upon receiving complaint of facts which constitute such offence B:-Upon a police report of such facts C:-Upon information received from any person other than a police officer, or upon his knowledge, that such offence has been committed D:-Any of the above Correct Answer:- Option-D Question72: When a police officer finds sufficient evidence about an offence investigated by him, he shall A:-Forward the report to his superior officer for his approval. B:-Forward the accused under custody along with the police report to the concerned Magistrate. C:-Inform the accused about the further proceedings. D:-None of the above. Correct Answer:- Option-B Question73: The medical examination of a victim of rape shall be conducted by a medical practitioner within A:-24 hours from the happening of the offence B:-24 hours from the time of receiving the information relating to the commission of the offence. C:-Within 48 hours of receiving the complaint by a Magistrate. D:-Within 48 hours with the permission of the victim. Correct Answer:- Option-B Question74:-In order to prevent the commission of a cognizable offence, a police officer may A:-Arrest the person without orders from the Magistrate and without a warrant B:-Can arrest the person only with a warrant C:-Cannot arrest the person without the consent from the Magistrate D:-Will need the permission of the person before arrest Correct Answer:- Option-A Question75:-Power to prohibit carrying arms in procession or mass drill or mass training with arms in preservation of public peace, safety or maintenance of public order is exercised by the District Magistrate under A:-Section 199 B B:-Section 129 C C:-Section 144 A D:-Section 143 C Correct Answer:- Option-C Question76:-Proceedings under section 125 may be taken against any person in any district A:-Where he is B:-Where he or his wife resides C:-Where he last resided with his wife or as the case may be with the mother of the illegitimate child D:-Any of the above Correct Answer:- Option-D Question77:-A minor under section 125 Cr.PC means A:-A person who under the provisions of Indian Majority Act 1875 is deemed not to have attained majority. B:-A person who is below the age of 18 C:-A person who has not attained the age of 21 D:-None of the above Correct Answer:- Option-A Question78:-Security for good behavior from suspected persons shall not exceed A:-3 months B:-6 months C:-2 years D:-1 year Correct Answer:- Option-D Question79:-A court may direct to execute a bond for keeping peace on conviction not exceeding a period of A:-6 months B:-2 years C:-1 year D:-3 years Correct Answer:- Option-D Question80:-Section 100 of Cr.PC provides for A:-Search for persons wrongfully confined B:-Direction of search warrants C:-Persons in charge of closed place to allow search D:-Power to compel restoration of abducted female Correct Answer:- Option-C Question81:-Proclamation of an absconding person is done under section A:-83 B:-86 C:-82 D:-81 Correct Answer:- Option-C Question82:-The duration of an arrest warrant issued by a court is A:-6 months from the date of issue B:-Until it is cancelled by the court or until it is executed C:-Until it is cancelled by a court of higher authority D:-Until the date, concerned judge prescribes

Correct Answer:- Option-B Question83:-Which section of Cr.PC provides protection to the members of armed forces from arrest A:-Section 44 B:-Section 34 C:-Section 45 D:-Section 46 Correct Answer:- Option-C Question84:-The procedure of arrest and duties of the officer making arrest includes A:-Police officer shall wear visible and clear identification of his name B:-A memorandum of arrest shall be prepared C:-Inform the arrested person that he have right to have a relative or friend informed of the arrest D:-All of the above Correct Answer:- Option-D Question85:-The Directorate of Prosecution is established by A:-State Government B:-High Court C:-Supreme Court D:-Central Government Correct Answer:- Option-A Question86: The State-Government may declare any area in the Stare comprising a city or town as metropolitan area if the population of the area exceeds A:-One million B:-Ten million C:-50 lakhs D:-None of the above Correct Answer:- Option-A Question87:-What is a "warrant-case"? A:-A case relating to an offence punishable with imprisonment for life. B:-A case relating to an offence punishable with imprisonment of 2 years or more. C:-A case relating to an offence punishable with death, imprisonment of life or imprisonment for a term exceeding 2 years. D:-A case relating to an offence which is not categorized as a summons case. Correct Answer:- Option-C Question88:-A report forwarded by a police officer to a Magistrate under section 173 (2) is a A:-Complaint **B:-Private Complaint** C:-Police Report D:-FIR Correct Answer:- Option-C Question89:-An offence under Cr.PC includes A:-An act or omission made punishable under IPC. B:-An act or omission categorized as a criminal offence by any law in India. C:-An act or omission that causes physical hurt anywhere in India. D:-An act or omission made punishable by any law for the time being in force including a complaint under section 20 of the Cattle-trespass Act. Correct Answer:- Option-D Question90:-"Complaint" means A:-Allegation orally made to the police officer. B:-Allegation orally or in writing made to the police officer. C:-Allegation orally or in writing made to a Magistrate. D:-Allegation orally or in writing made to a Magistrate, but does not include a police report. Correct Answer:- Option-D Question91:-The Code of Criminal Procedure, 1973 extends A:-Whole of India except the State of Jammu and Kashmir B:-Whole of India except the State of Nagaland C:-Whole of India D:-None of the above Correct Answer:- Option-A Question92:-Which court has continuous superintendence over the courts of Judicial magistrates? A:-Chief Judicial Magistrates B:-High Court of the State C:-Sessions Judge D:-District Magistrate Correct Answer:- Option-B Question93:-A judge or Magistrate shall not try or commit for trial any case in which he is a party/personally interested as per section A:-Section 479 Cr.PC B:-Section 476 Cr.PC C:-Section 474 Cr.PC D:-None of the above Correct Answer:- Option-A Question94:-The power to make rules in relation to the petition writers, licenses and penalty rests with the A:-ludge of Supreme Court B:-High Court with the previous approval of the State Government C:-High Court as and when it is deemed necessary D:-District Magistrate with the consent of the High Court Correct Answer:- Option-B Question95:-When does the period of limitation begin in the case of a continuing offence? A:-Moment from which the offence is completed. B:-Moment from which offence is reported. C:-Fresh period of limitation begins to run every moment the offence continues. D:-The moment from which the concerned police officer takes cognizance of the offence. Correct Answer:- Option-C Question96:-The period of limitation in criminal procedure commences A:-On the date of the offence. B:-Where the commission of the offence was not known to the person aggrieved by the offence or to any police officer, the first day on which such offence comes to the knowledge of such person or to any police officer, whichever is earlier.

C:-Where it is not known by whom the offence was committed, the first day on which the identity of the offend is known to the person aggrieved by the offence or to the police officer making investigation into the offence, whichever is earlier. D:-All of the above.

Correct Answer:- Option-D Question97:-Which of the following irregularities in a criminal proceeding does not vitiate the validity merely on that ground alone? A:-To issue search warrant under section 94

B:-To hold an inquest under section 176

C:-To make over a case under sub-section (92) of section 192

D:-All of the above

Correct Answer:- Option-D

Question98:-Which provision of Cr.PC gives the power for the destruction of libelous subject matters?

A:-Section 454

B:-Section 455

C:-Section 456

D:-Section 457

Correct Answer:- Option-B

Question99:-Maximum period for which the under trial prisoner can be detained shall in no case be more than A:-One half of the maximum period of imprisonment provided for the offence.

B:-One fourth of the maximum period of imprisonment provided for the offence.

C:-A period after consultation with the public prosecutor.

D:-The maximum period of imprisonment provided for the said offence under the law.

Correct Answer:- Option-A

Question100:-The power to commute sentence provided under section 433 can be exercised

A:-Only with the consent of the concerned judge

B:-On the request of the person sentenced

C:-Without the consent of the person sentenced

D:-With the consent of the person sentenced

Correct Answer:- Option-C