

THE OPEN UNIVERSITY OF SRI LANKA
LL.B. DEGREE PROGRAMME - LEVEL 4
CONTINUOUS ASSESSMENT TEST II - 2006/2007
CRIMINAL LAW - LWU 2312
DURATION : 40 MINUTES



DATE : 07th November 2006

TIME : 1.30 p.m. - 2.10 p.m.

ANSWER ONE QUESTION ONLY.

Illegible handwriting will be penalized.

01. Discuss with reference to decided cases, the provisions in the Penal Code which regulate the exercise of the right of Private Defence.

02. "Now all the cases which have been decided by the Indian Courts point to the conclusion that, in order to constitute the offence of criminal misappropriation, there must be an innocent possession and then a subsequent change of intention.."

Middleton J in *Georgesy Vs. Seyadu Saibo*
(1902) 3 Browne's Rep. 88.

Would this statement reflect the current position of the law relating to the offence of criminal misappropriation?

Discuss.

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