Kerala Judicial Service (Prelims) 2025

High Court of Kerala · Preliminary Examination, held 22.06.2025 · 100 questions

Part A

1. What is the correct application of the principle underlying in 'rejection of plaint' under Order VII Rule 11 of the Code of Civil Procedure, 1908 ?

(A) a plaint can be partially rejected against some defendants while continuing against others
(B) the plaint must either be rejected as a whole or not at all
(C) only specific claims within the plaint can be dismissed while the rest proceeds to trial
(D) the Court can reject portions of the plaint selectively based on the merits of each claim

2. Going by Order II Rule 2 (3) of the Code of Civil Procedure, 1908, what is the legal implication if a plaintiff omits to sue for one of several reliefs arising from the same cause of action ?

(A) the plaintiff can file a fresh suit for the omitted relief at any time
(B) the plaintiff can claim the omitted relief later only with the defendant's consent
(C) the plaintiff cannot file a separate suit for the omitted relief later unless the Court had granted permission
(D) the plaintiff can seek the omitted relief through an amendment of the original suit at any stage

3. As per s.17 of the Code of Civil Procedure, 1908, where can a suit be filed, if it relates to immovable property situated within the jurisdiction of different Courts ?

(A) the suit must be instituted only in the Court where the majority of the property is located
(B) the suit may be instituted in any Court within whose jurisdiction any portion of the property is situated
(C) the suit can only be filed in the Court where the defendant resides, regardless of property location
(D) the suit must be filed separately in each Court where a portion of the property is situated

4. Filing of review is provided in Section .....of the Code of Civil Procedure, 1908.

(A) 113
(B) 115
(C) 96
(D) 114

5. How long an attachment under a precept can continue unless extended by the Court?

(A) not more than two months
(B) not more than three months
(C) not more than four months
(D) not more than six months

6. As per s.60 (1)(i) of the Code of Civil Procedure, 1908, to what extent salary is exempted from attachment in execution of any decree other than a decree for maintenance?

(A) the first Rs.1,000 and 1/3 of the remainder
(B) the first Rs.1,000 and 2/3 of the remainder
(C) the first Rs.1,000 and 1/2 of the remainder
(D) the first Rs.1,000 and 1/4 of the remainder

7. Section 80 of the Code of Civil Procedure, 1908 mandates that no suit shall be instituted against Government until the expiry of 2 months' notice in writing while s.80 (2) permits filing of the suit with the leave of the Court without such notice if urgent relief is required. What action will the Court take, after hearing, if it finds that granting urgent or immediate relief is not necessary in the suit?

(A) the Court will allow the suit to proceed with
(B) the Court will reject the plaint
(C) the Court will return the plaint
(D) the Court will dismiss the suit

8. Which among the following is the 'principal Civil Court of original jurisdiction' referred to in s.92 of the Code of Civil Procedure, 1908?

(A) Munsiff's Court [Civil Judge (Junior Division)]
(B) Subordinate Judge's Court [Civil Judge (Senior Division)]
(C) District Court
(D) None of the above

9. Provision in the Code of Civil Procedure, 1908 that deals with 'representative suit' is.....

(A) Order I Rule 6
(B) Order I Rule 7
(C) Order I Rule 8
(D) Order I Rule 9

10. Identify the statement that accurately aligns with the legal provision in Order VI Rule 17 of the Code of Civil Procedure, 1908:

(A) the Court has discretionary authority to permit amendments to pleadings at any juncture of the proceedings, including after the commencement of trial, irrespective of whether the party seeking amendment had the opportunity to present the matter earlier

(B) once trial proceedings have officially commenced, any application for amendment to pleadings is categorically barred, rendering it impermissible under all circumstances

(C) amendments to pleadings subsequent to the initiation of trial are conditionally permissible, only if all contesting parties mutually consent to the proposed modifications, thereby precluding unilateral applications for amendment

(D) amendments to pleadings after the commencement of the trial can only be allowed if the Court is satisfied that, despite due diligence, the party could not have raised the matter before the trial began

11. If a party from whom written statement is required under Order VIII Rule 1 or Rule 9 of the Code of Civil Procedure, 1908 fails to present the same within the time permitted or fixed by the Court, what is the option available to the Court ?

(A) the Court shall pronounce judgment against him or make such order in relation to the suit as it thinks fit

(B) the Court shall grant further time indefinitely for filing the written statement, regardless of the delay

(C) the Court shall strike out the pleadings of the defaulting party and automatically pronounce judgment in favour of the opposing party

(D) None of the above

12. Provision of the Code of Civil Procedure, 1908 that deals with the principle of 'sub judice' is in Section .....

(A) 8

(B) 9

(C) 10

(D) 11

13. Exception to Order XIV Rule 2 of the Code of Civil Procedure, 1908 that Court must pronounce judgment on all issues is :-

(A) when case could be disposed of on an issue of jurisdiction of the Court

(B) when a case could be disposed of on an issue of legal bar to the suit

(C) both (A) and (B)

(D) none of the above

14. Who is legally authorized to institute a suit in respect of public trust u/s.92 of the Code of Civil Procedure, 1908 ?

(A) two or more persons having an interest in the trust after having obtained leave of the Court

(B) any person having interest in the trust after having obtained leave of the Court

(C) only by the trustee after obtaining leave of the Court.

(D) none of the above

15. Provisions of which of the following Act is made applicable to s.89 of the Code of Civil Procedure, 1908 ?

(A) The Specific Relief Act,1963

(B) The Mediation Act, 2023

(C) The Limitation Act, 1963

(D) None of the above

16. Institution of suit by an indigent person is as per.....of the Code of Civil Procedure, 1908

(A) Order XXXI Rule I

(B) Order XXXII Rule I

(C) Order XXXIII Rule I

(D) Order XXXIV Rule I

17. What is the maximum fine that a Court can impose to enforce the attendance of a person who has been summoned under s.30 of the Code of Civil Procedure, 1908 ? ;

(A) Rs.2000/-

(B) Rs.3000/-

(C) Rs.4000/-

(D) Rs.5000/-

18. Which of the following is a correct statement in the matter of lodging of a caveat ?

(A) can be filed only after the suit is instituted
(B) can be filed when the suit is about to be instituted
(C) can be lodged only after the Court has issued notice to the opposite party
(D) a caveat remains valid indefinitely once it is lodged, regardless of whether an application is filed or not

19. When several co-owners of immovable property transfer a share without specifying which part of their share is being transferred, how does the transfer take effect among them?

(A) the transfer is invalid unless each co-owner explicitly specifies the exact portion of their share being transferred
(B) the transfer takes effect equally among the transferors, if their shares are equal and proportionately, if their shares are unequal
(C) the entire transferred share is automatically assigned to the co-owner who initiated the transaction first
(D) the transferee has the right to choose any specific portion of the property from the co-owners' shares, regardless of their respective ownership percentages

20. Which among the following is a promissory note ?

(A) I promise to pay Rs.500 to 'B', after deducting any money which 'B' may owe me
(B) I promise to pay Rs.500 to 'B' and all other sums which shall be due to 'B'
(C) Both (A) and (B)
(D) None of these

21. Which is the provision of the Kerala Buildings (Lease and Rent Control) Act, 1965 providing special provision for the members of the Armed Forces regarding eviction ?

(A) Section 10
(B) Section 11 A
(C) Section 12
(D) Section 20 A

22. As per the provisions of the Transfer of Property Act, 1882, which of the following cannot be transferred ?

(A) a mere right to sue
(B) an interest in property restricted in its enjoyment to the owner personally
(C) stipends allowed to military, naval, air-force and civil pensioners of the Government and political pensions
(D) all of the above

23. 'A' enters into an agreement with 'B' to sell one thousand maunds of rice at a price to be fixed by 'C'. Later, 'B' claims that the agreement is void due to uncertainty in price determination. Considering the principles u/s.29 of the Indian Contract Act, 1872, which of the following statements is legally accurate ?

(A) the agreement is void because the price is uncertain
(B) the agreement is valid because the price can be made certain
(C) the agreement is void unless 'C' explicitly agrees to fix the price at the time of entering into the contract
(D) the agreement is valid only if 'C' is an independent third party with no personal interest in the transaction

24. Doctrine of 'Lis Pendens' is discussed in .....

(A) Cooper v. Cooper
(B) R v. Brown
(C) Marbury v. Madison
(D) Bellamy v. Sabine

25. Landmark judgment, Rosher v. Rosher discusses Section.....of the Transfer of the Property Act, 1882.

(A) 10
(B) 11
(C) 13
(D) 53 A

26. Which of the following does not correctly represent the legal implications' of s.6 of the Specific Relief Act, 1963? ' '

(A) a suit under this section must be filed within six months of dispossession, and it cannot be filed against the Government

(B) a person who has been dispossessed of immovable property can only recover possession if he proves ownership

(C) no appeal or review is allowed for any decree or order passed in a suit filed under this section

(D) this section does not prevent a person from filing a separate suit to establish ownership and recover possession

27. 'Blue Pencil Doctrine' is basically related to.....

(A) Specific Relief Act

(B) Contract Law

(C) Transfer of Property Act

(D) Negotiable instruments Act

28. Which legal doctrine is based on the maxim Quod approbo non reprobo?

(A) Doctrine of election

(B) Doctrine of lis pendens

(C) Doctrine of part performance

(D) Doctrine of subrogation

29. As per the provisions of the Negotiable Instruments Act, 1881, what is the legal position, if the amount to be paid is stated differently in figures and words in an instrument ?

(A) the amount that is written using numerical digits is to be accepted

(B) the amount that appears first on the document, whether in words or figures, is to be accepted

(C) the amount that is expressed in words is to be accepted

(D) the instrument is invalid

30. A transfer of immovable property made without consideration and with the intent to defraud a subsequent transferee is .....

(A) void, as any fraudulent transfer automatically has no legal effect

(B) voidable at the option of the transferee

(C) valid, as long as the original trnasferror had legal ownership of the property at : the time of transfer

(D) both (A) and (B)

31. Section 143 A (1) of the Negotiable Instruments Act, 1881 is .....

(A) directory

(B) mandatory

(C) both (A) and (B)

(D) none of the above

32. What is the time limit specified u/s.12 of the Kerala Buildings (Lease and Rent Control) Act, 1965, for the Court to set for the tenant to deposit arrears of rent and for the deposit of subsequently accrued rent ?

(A) shall not be less than four weeks from the date of the order of the Court for deposit of arrears of rent and shall not be less than four weeks from the date on which the rent becomes due

(B) shall not be less than two weeks from the date of the order of the Court for deposit of arrears of rent and shall not be less than four weeks from the date on which the rent becomes due

(C) shall not be less than four weeks from the date of the order of the Court for deposit of arrears of rent and shall not be less than two weeks from the date on which the rent becomes due

(D) shall not be less than two weeks from the date of the order of the Court for deposit of arrears of rent and shall not be less than two weeks from the date on which the rent becomes due

33. A customer deposits certain goods with a banker for safekeeping. Later, the customer owes the banker an outstanding balance on a different transaction. The banker refuses to return the goods. Which of the following statements is legally correct ?

(A) the banker has the right to retain the goods until the entire outstanding balance is cleared

(B) the banker must return the goods immediately, as they were not specifically pledged for the outstanding debt

(C) the banker can retain the goods only if there is an express contract allowing such retention

(D) the banker's right to retain the goods is limited only to the specific transaction for which they were deposited

34. Under s.65 of the Indian Contract Act, 1872, what is the obligation of a person who has received an advantage under an agreement that is later discovered to be void or a contract that becomes void ?

(A) the person need not restore the advantage received or make compensation as the agreement/contract is void
(B) the person is required to restore the advantage received or provide compensation to the party from whom it was received
(C) the person is required to restore half of the advantage received or provide compensation
(D) none of the above

35. Within what time frame from the date of the order, an aggrieved party seeking to challenge an order of the Rent Control Court must file an appeal before the Appellate Authority, as per s.18 of the Kerala Buildings (Lease and Rent Control) Act, 1965?

(A) 45 days
(B) 90 days
(C) 60 days
(D) 30 days

36. Under s.11 (2) (c) of the Kerala Buildings (Lease and Rent Control) Act, 1965, what is the legal implication of a Rent Control Court's eviction order based on arrears of rent ?

(A) the eviction order is executed immediately unless the tenant provides a valid reason for non-payment of rent
(B) the eviction order becomes final after one month and cannot be revoked under any circumstances
(C) the eviction order will be vacated if the tenant clears the arrears with interest and cost within one month or within the time granted by the Court
(D) the eviction order shall be executed after one month irrespective of whether the tenant clears the arrears with interest and cost within that period

37. Which provision in the Specific Relief Act, 1963 prohibits grant of injunction in a suit involving a contract relating to an infrastructure project?

(A) Section 14 A
(B) Section 20 A
(C) Section 20 B
(D) Section 20 C

38. 'Rule against perpetuity' is discussed in Section...of the Transfer of Property Act, 1882.

(A) 9
(B) 10
(C) 14
(D) 17

39. 'X' stands as a surety for a loan taken by 'Z' from 'Y'. When 'Z' defaults on repayment, 'x' pays the entire outstanding amount to 'Y'. Which of the statement denotes the correct legal position ?

(A) 'x' has no further rights and must bear the financial loss, as the guarantee was voluntarily given
(B) 'X' steps into 'Y's position and gains all rights 'Y' had against 'Z' and can recover the amount from 'Z'
(C) 'X' can recover only half of the amount from 'Z', as surety liability is always shared equally
(D) 'X' can claim reimbursement from 'Z' only if there was a prior written agreement between them regarding repayment

40. Section 21 of the Transfer of Property Act, 1882 deals with.....

(A) conditional transfer
(B) oral transfer
(C) vested interest
(D) contingent interest

Part B

41. Which is the provision in the Bharatiya Nagarik Suraksha Sanhita, 2023 dealing with e-FIR?

(A) Section 173 (1)
(B) Section 154 (1)
(C) Section 174 (1)
(D) There is no such provision

42. Is there any provision in the Bharatiya Nagarik Suraksha Sanhita, 2023 prescribing the maximum period for which an undertrial prisoner can be detained? If so, which is the Section ?

(A) There is no such provision
(B) Section 479
(C) Section 478
(D) Section 579

43. Has the concept of 'Zero FIR' been recognized in the Bharatiya Nagarik Suraksha Sanhita, 2023 or Bharatiya Nyaya Sanhita, 2023? If so, which is the provision ?

(A) Section 173 (1) of the Bharatiya Nagarik Suraksha Sanhita, 2023
(B) Section 154 (1) of the Bharatiya Nyaya Sanhita, 2023
(C) Section 173 (1) of the Bharatiya Nyaya Sanhita, 2023
(D) No; not recognized

44. 'A' filed a complaint against 'B' alleging commission of an offence punishable u/s.138 of the Negotiable Instruments Act,1881. The accused was acquitted. Subsequently, based on the information given by 'A', an FIR for the offence punishable u/s.420 IPC on the same set of facts was registered against 'B'. Which of the following statement is correct?

(A) trial of the second case is barred as the ingredients of the two offences are same
(B) trial of the second case is not barred as the ingredients of the two offences are different
(C) the FIR ought not have been lodged
(D) trial of the second case would not have been barred had 'A' filed a private complaint against 'B' before the jurisdictional Magistrate

45. Which of the following statement is true ?

(A) Section 26 of the Bharatiya Sakshya Adhiniyam, 2023 makes admissible the statement of a person who is dead, only if his death is a homicide
(B) Section 25 of the Bharatiya Sakshya Adhiniyam, 2023 makes admissible the statement of a person who is dead, whether the death is a homicide or suicide
(C) Section 26 of the Bharatiya Sakshya Adhiniyam, 2023 makes admissible the statement of a person who is dead, whether the death is a homicide or suicide
(D) None of the above statement is correct

46. 'A', 'B' & 'C' are jointly tried for the murder of 'D'. 'A' made a statement that 'B' & 'C' murdered 'D'. Whether the statement comes under the purview of s.24 of the Bharatiya Sakshya Adhiniyam, 2023 ?

(A) no; to bring the statement under the purview of s.24, the statement should implicate 'A' as well as 'B' & 'C'
(B) yes.; The statement comes under the purview of s.24 of the Bharatiya Sakshya Adhiniyam, 2023
(C) statement made by 'A' can never implicate B & C, the co-accused
(D) statement made by 'A' would have been admissible u/s.24 of the Bharatiya Sakshya Adhiniyam, 2023 against 'B' & 'C' had it been made before a Magistrate

47. A previous statement presupposes a subsequent statement. Statement u/s.154 and 164 Cr.PC are some examples of statements which can be regarded as previous statements. if so, what is subsequent statement ?

(A) statement made in the Court as well as during further investigation
(B) statement made to the police during further investigation
(C) statement made to the police after investigation
(D) statement made in the Court

48. What is the legal effect of a recovery made u/s.27 of the Indian Evidence Act, 1872, if the police already knew where the incriminating article was hidden ?

(A) it is admissible in evidence irrespective of whether the police knew it or not
(B) it is inadmissible in evidence as it does not come within the exclusive knowledge of the accused
(C) it would have been admissible had the disclosure statement been given in writing by the accused
(D) none of the statement is correct

49. A witness directly approaches a Magistrate and requests for recording his statement u/s. 164 Cr.P.C. What is the course of action to be taken by the Magistrate ?

(A) the Magistrate should refuse the request as the witness was not sponsored by the police
(B) the Magistrate should record the statement
(C) the Magistrate should record the statement irrespective of whether the witness has been sponsored or not sponsored by the police
(D) the Magistrate can record the statement of the witness if he is represented by a lawyer of his choice

50. An Investigating Officer submitted a final report within the period specified in s.167 (2) Cr.P.C. Thereafter, the High Court set aside the final report and entrusted the investigation with the CBI. The accused claimed bail u/s.167 Cr.PC on the ground that the CBI had not filed the final report within the statutory period. Is he entitled to default bail ?

(A) no; he is not entitled to get default bail because, once the Investigating Agency files the final report within the prescribed period, the right of the accused to get default bail ceases
(B) yes; he is entitled
(C) he would be entitled to default bail if the Investigating Officer submits that no further custodial interrogation is necessary
(D) he can get default bail if he moves the High Court

51. Whether, as part of the inquiry u/s.202 Cr.PC, a police officer has the power to arrest without warrant ?

(A) yes; if the arrest is made with the permission of the District Police Chief
(B) yes; if the arrest is made by the SHO concerned
(C) yes; as the police has always the power to arrest without a warrant
(D) no; the only authority is to give a report to the Magistrate to enable him to decide whether there is sufficient ground to proceed further

52. In which of the following decisions, the Apex Court mandated filing of an affidavit along with a complaint u/s.190 Cr.PC before the Magistrate ?

(A) Ram Singh v. Union of India, (2015) 11 SCC 220
(B) Priyanka Srivastava v. State of UP, AIR 2015 SC 1758
(C) Yakub A. Menon v. State of Maharashtra, (2015) 9 SCC 552
(D) Rajbala v. State of Haryana, AIR 2016 SC 33

53. Which of the following statement is correct ?

(A) as per s.146 of the Bharatiya Sakshya Adhiniyam, 2023, a leading question can be asked in the examination-in-chief
(B) as per s.146 of the Bharatiya Sakshya Adhiniyam, 2023, a leading question can be asked in the re-examination
(C) as per s.146 of the Bharatiya Sakshya Adhiniyam, 2023, a leading question can be asked in the cross-examination
(D) none of the statement is correct

54. When does the trial in a warrant case instituted on a police report commence?

(A) on appearance of the accused
(B) after issuance of summons to the first witness
(C) after examination of the first witness
(D) after framing charge

55. What is the purpose for which an FIS can be used?

(A) for contradiction only
(B) for corroboration only
(C) for only contradicting or corroborating the maker of the statement
(D) for contradicting or corroborating the prosecution witnesses

56. Which among the following is not an ingredient to constitute an offence punishable u/s.80 of the Bharatiya Nyaya Sanhita, 2023?

(A) death of a woman is caused by burns or bodily injury
(B) death has been caused within 8 years of her marriage
(C) she was subjected to harassment by her husband or his relative
(D) the harassment was for dowry

57. A man follows a woman and pesters her to establish relation with him despite the woman showing disinterest towards him. What is the provision of law breached by him ?

(A) Section 354 IPC
(B) Section 354 B IPC
(C) Section 77 of the Bharatiya Nyaya Sanhita, 2023
(D) Section 78 of the Bharatiya Nyaya Sanhita, 2023

58. Which is the provision that makes identification of the accused in a test identification parade conducted by a Magistrate admissible in evidence ?

(A) Section 9 of the Indian Evidence Act, 1872
(B) Section 119 of the Kerala Police Act, 2011
(C) Section 117 of the Indian Penal Code, 1860
(D) Section 8 of the Indian Evidence Act, 1872

59. An Indian Citizen committed an offence abroad. On receiving the information regarding the same, the Kerala Police registered an FIR and completed investigation. The accused challenges the same on the ground that sanction from the Central Government, as envisaged u/s.188 Cr.PC, has not been obtained. Is the challenge valid ?

(A) challenge is valid as sanction from the Central Government is necessary
(B) challenge is invalid as sanction is not necessary for investigation
(C) challenge is invalid as the accused did not challenge the same during investigation
(D) challenge is invalid as the Central Government could not grant sanction for investigation

60. What is the stage at which the Court can permit alteration of a charge?

(A) before the commencement of prosecution evidence
(B) before the examination of the accused u/s.313 Cr.PC
(C) at any time before the judgment is pronounced
(D) after the examination of the accused u/s.313 Cr.PC

61. The complainant continuously failed to appear before the Court and adduce evidence in a summons case. Can the Magistrate acquit the accused under any of the following provisions?

(A) yes; u/s.258 Cr.PC
(B) yes; u/s.257 Cr.PC
(C) yes; u/s.256 (1) Cr.PC
(D) no; cannot acquit

62. A person was arrested for an offence u/s.307 IPC and remanded to judicial custody. After expiry of how many days, would the accused become entitled to statutory bail ?

(A) 60 days
(B) 90 days
(C) 120 days
(D) 130 days

63. Which among the following is not secondary evidence ?

(A) certified copies
(B) copies made from original by mechanical process
(C) copies compared with the original
(D) oral account of the contents of a document by a person who has not seen it

64. Which of the following offences can be compounded with the permission of the Court ?

(A) Section 79 of the Bharatiya Nyaya Sanhita, 2023
(B) Section 118 of the Bharatiya Nyaya Sanhita, 2023
(C) Section 124 of the Bharatiya Nyaya Sanhita, 2023
(D) All of the above

65. Which among the following is a substantive piece of evidence ?

(A) statement of witness u/s.161 Cr.PC
(B) statement of witness u/s.164 Cr.P.C
(C) testimony of witness before the Court
(D) all of the above

66. What does the word 'discovered' in s.27 of the Indian Evidence Act, 1872 mean?

(A) knowledge of the accused as to the place and object recovered
(B) the place where the object was found
(C) the object recovered
(D) all of the above

67. Power u/s. 258 Cr.PC can be exercised only .....

(A) by a Magistrate of the First Class
(B) in a summons case instituted otherwise than upon a complaint
(C) in a summons case instituted upon a complaint
(D) in warrant cases

68. During the trial of a case, it appears to the Magistrate that the case in one which ought to be tried by the Court of Session. What should the Magistrate do?

(A) Magistrate shall commit the case u/s. 209 Cr.PC
(B) Magistrate shall commit the case u/s. 323 Cr.PC
(C) Magistrate shall write to the High Court, requesting the case to be transferred to the Court of Session
(D) Magistrate shall try the case himself

69. Which is the provision of law prescribing the forum of trial of all offences under any law other than IPC/Bharatiya Nyaya Sanhita, 2023 ?

(A) Section 5 IPC/Bharatiya Nyaya Sanhita, 2023
(B) Section 5 and Schedule I of the Bharatiya Nyaya Sanhita, 2023
(C) Section 5 Cr.Pc
(D) Section 4(2) and Schedule I of the Bharatiya Nagarik Suraksha Sanhita, 2023

70. A summons issued to the accused in a warrant case was served on his male servant. Is the service proper ?

(A) yes; as s.65 Cr.P.C allows service on servant also
(B) no; as the Explanation to s.64 Cr.PC says servant is not a member of the family
(C) service is proper if the servant is an adult
(D) service is proper had the servant been authorised by the accused

71. Which is the provision of law which makes a material thing, -for instance, weapon used in the crime, admissible in evidence ?

(A) second proviso to s.60 of the Indian Evidence Act, 1872
(B) section 311 A Cr.PC
(C) section 61 of the Indian Evidence Act, 1872
(D) there is no specific provision

72. A resident of Ernakulam was arrested pursuant to a non-bailable warrant issued by a Magistrate in Karnataka. He was produced before the Judicial Magistrate, Ernakulam before whom he filed a bail application. The bail application is opposed by the Prosecutor contending that it is not maintainable. Is the contention valid?

(A) yes; as the second proviso to s.81 CrPC empowers only the Chief Judicial Magistrate or the Sessions Judge to do so
(B) contention is not valid as the Magistrate has every power to grant bail even in non-bailable offences
(C) yes; as it is only the High Court that can grant bail
(D) both (A) and (C) are correct

73. In a compliant for an offence punishable u/s.138 of the Negotiable Instruments Act,1881 the Magistrate issued summons to the accused. Before the date fixed for appearance, he issued a warrant stating that there is reason to believe that the accused will not obey the summons. Is this proper ?

(A) no, it is improper
(B) it is proper by virtue of s.87(a) Cr.PC
(C) it is proper by virtue of s.97(b) Cr.PC
(D) the Magistrate has no such power

74. When a person is convicted in a trial involving two or more offences, by virtue of clause (b) of proviso to s.31(2) CrPC., the aggregate punishment cannot exceed .....the amount of punishment which the Court is competent to inflict for a single offence.

(A) thrice
(B) twice
(C) quadruple
(D) five times

75. A police officer filed a final report before the Magistrate without producing copy of the prosecution records to be served on the accused. However, he filed a report stating that he has served copies of the records directly to the accused. The Magistrate issued show cause notice to the officer citing non-compliance of s.173(5) Cr.PC. Is there any illegality in the order of the Magistrate ?

(A) the show cause notice is not proper in the light of s.173 (7) Cr.PC
(B) yes; as the officer has no such power
(C) the show cause notice is improper in the light of s.163 Cr.P.C.
(D) the show cause notice would be proper if a personal hearing is given to the officer concerned.

76. The prosecutor produces several documents to substantiate the prosecution case. After serving copy of the documents to the accused, he requests the Court to direct the accused to admit or deny the genuineness of each of such document in the list. The request is opposed by the accused. The Magistrate allows the request. Is there any infirmity in the order ?

(A) no infirmity by virtue of s.330(1) of the Bharatiya Nagarik Suraksha Sanhita, 2023
(B) the order is wrong as there is no such provision in the Bharatiya Nagarik Suraksha Sanhita, 2023
(C) the order is valid only if the accused is called upon to admit or deny the genuineness of the documents within a period of 30 days after such supply
(D) the prosecutor can make such a request only in cases involving the offence punishable u/s.302 IPC

77. Is there any limit to imprisonment for non-payment of fine when imprisonment and fine are imposed ? If so, what is the limit.

(A) yes; shall not exceed one-third of the term of imprisonment which is the maximum fixed for the offence
(B) no; there is no such limit
(C) yes; shall not exceed one-fourth of the term of imprisonment which is the maximum fixed for the offence
(D) yes; shall not exceed one-fifth of the term of imprisonment which is the maximum fixed for the offence

78. In a warrant case, alleging the commission of the offence punishable u/s.326 IPC, the Magistrate found that no weapon had been used and the injuries caused were simple. Hence, the plea of the accused was recorded u/s.323 IPC. The case was then converted as a summons case. Which is the provision enabling the Magistrate to do the same ?

(A) there is no provision to convert a warrant case to a summons case
(B) it can be converted u/s.259 Cr.P.C.
(C) it can be converted u/s.269 Cr.P.C.
(D) it can be converted u/s.262 Cr.P.C.

79. An accused was tendered pardon by the Magistrate while he was in judicial custody. He then moved an application for bail. The Magistrate, taking into account of the fact that the status of the accused had changed to that of a witness, granted bail. Is the order of the Magistrate correct ?

(A) no; as s.343(4)(b) of the Bharatiya Nagarik Suraksha Sanhita, 2023 says that a person who has been pardoned, unless he is already on bail, be detained in custody until the termination of the trial
(B) yes; the order is correct
(C) yes; as s.343(4)(b) of the Bharatiya Nagarik-Suraksha Sanhita, 2023 says that it is the discretion of the Magistrate to grant bail
(D) the order of the Magistrate would be correct if bail is granted after the trial starts

80. 'A' is accused of committing the offence of rape. Pursuant to his arrest, he is produced before a registered medical practitioner in a hospital run by a local authority for medical examination. The accused resisted the examination and hence the medical examiner used reasonable force to subject him for examination and in the process, an injury was caused to him. When the accused is produced before the Magistrate, he complained of ill treatment by the doctor. The Magistrate records the statement of the accused, treats it as a complaint and forwards it u/s.156(3) Cr.PC to the Station House Officer concerned for investigation and report. Is the action of the Magistrate, correct ?

(A) yes, as the doctor has no right to use such force
(B) yes; as per s.53A(1) Cr.PC, the doctor ought to have taken necessary orders from the Magistrate in the event of the accused resisting the examination
(C) yes; as only a doctor of a government hospital can use force in the event of the accused resisting the examination
(D) no; by virtue of s.53A(1) Cr.PC, the doctor can use such force as is reasonably necessary for the examination

Part C

81. 'Before Memory Fades' is the autobiography of.....

(A) Nani Palkhivala
(B) Fali S. Nariman
(C) Soli Sorabjee
(D) Motilal C Setalvad

82. Which of the following was a landmark judgment on s.65B of the Indian Evidence Act, 1872 ?

(A) Anvar P.V. v. P.K.Basheer
(B) Shayara Bano v. Union of India
(C) Joseph Shine v. Union of India
(D) Lily Thomas v. Union of India & ors.

83. The Supreme Court in Navtej Singh Johar v. Union of India dealt with.....

(A) Decriminalising homosexuality
(B) Basic structure doctrine
(C) Public Interest Litigation
(D) Decriminalising adultery

84. 'Ad litem' – Means .....

(A) for the consideration
(B) for the limitation
(C) for the value
(D) for the suit

85. Who is the present Union Law Minister ?

(A) Arjun Ram Meghwal
(B) Kiren Rijiju
(C) Sarbananda Sonowal
(D) Manohar Lal

86. Concept of Concurrent List in the Indian Constitution was adopted from the Constitution of .....

(A) Canada
(B) Australia
(C) Japan
(D) Ireland

87. What is the meaning of the word 'Mayhem' ?

(A) Corporal punishment
(B) Corporal hurt
(C) Contingency
(D) Corporeal hereditaments

88. Which Article of the Constitution of India deals with the appointment of District Judges ?

(A) Article 223
(B) Article 233
(C) Article 243
(D) Article 253

89. Dehors means.....

(A) Connected with
(B) Related to
(C) Unrelated to
(D) Unaltered

90. Which is the provision in the Constitution of India, enabling appointment of retired Judges at sittings of High Courts ?

(A) Article 224 A
(B) Article 239 A
(C) Article 243 A
(D) Article 134 A

91. Nemo est haeres viventis means .....

(A) No one can be a Judge in his own cause
(B) No one maintains an action arising out of his own wrong
(C) No one ought to be burdened by the act of another
(D) No one is the heir of a living person

92. Article 44 of the Constitution of India deals with .....

(A) Fundamental duties
(B) Uniform Civil Code for the citizens
(C) Promotion of international peace and security
(D) Separation of judiciary from executive

93. Lex loci regit actum means.....

(A) The law of the place governs the act
(B) The law of the Tribunal governs the remedy
(C) The law assists the ignorant
(D) The law will more readily tolerate a private loss than a public evil

94. Article 21 A deals with right to free and compulsory education to all children in the age group of .....

(A) 6 to 14 years
(B) 5 to 15 years
(C) 5 to 16 years
(D) 6 to 18 years

95. Choose the correct alternative: Lion = Cub : : Goat =?

(A) Lamb
(B) Calf
(C) Kid
(D) Pup

96. Ibid means.....

(A) In the same place
(B) In another place
(C) in the matter of
(D) In the notes

97. Pointing to a picture, a man says, “she is the daughter of my grandfather’s only son" How is the girl in the photograph related to the man ?

(A) Aunt
(B) Mother
(C) Cousin
(D) Sister

98. If FATHER is coded as JEXLIV, then MOTHER will be coded as .....

(A) QXSLIV
(B) QLXSIV
(C) QSXLIV
(D) QVSXLI

99. The only Chief Justice of India to act as the President of India was.....

(A) Harilal J. Kania
(B) Sudhi Ranjan Das
(C) Mohammad Hidayatullah
(D) M.Patanjali Sastri

100. Andaman Nicobar Islands comes under the jurisdiction of .....

(A) Andhra Pradesh High Court
(B) Madras High Court
(C) Orissa High Court
(D) Calcutta High Court