

CHUKA



UNIVERSITY

UNIVERSITY EXAMINATIONS
MAIN/EMBU

EXAMINATION FOR THE AWARD OF DIPLOMA IN CRIMINOLOGY AND
SECURITY STUDIES

CRSS 0110: INTRODUCTION TO CRIMINAL LAW AND PROCEDURE

STREAMS: DIP. CRSS

TIME: 2 HOURS

DAY/DATE: WEDNESDAY 14/07/2021

8.30 A.M. – 10.30 A.M.

INSTRUCTIONS:

- Answer question **ONE** and any other **TWO** questions.

Question One

- Explain the key guiding principles of criminal law. (10 marks)
- Using relevant example, explain the distinguishing factors between the crime of *mala prohibita* and *Mala in se*. (10 marks)
- Using two relevant examples, examine the constituent of strict liability offenses. (10 marks)

Question two

- Mark was arraigned in court after arrest, upon appearing before the judge he was denied bail even after immense struggle of the lawyer. Explain some of the grounds the judge might have relied on for such a decision. (10 marks)
- The Kenya criminal laws did not appear like a miracle, rather from concerted efforts of borrowing from various sources. Discuss (10 marks)

Question Three

- (a) Joseph a law enforcement office rushed into Mr. Nyairo's compound to conduct a search. Nyairo protested the ingress to his property without a warrant. He took matters to court upon which the learned judge ruled that circumstances were favorable for Joseph to conduct search without authorization from the court. Explain what might have informed the judge to reach his verdict. (10 marks)
- (b) Explain any five players in criminal trial as always present in the adversarial Kenyan Justice stem. (10 marks)

Question Four

- (a) Explain any five possible pleas to an accused person upon his first appearance in court for plea taking. (10 marks)
- (b) Explain any five principles of a fair trial. (10 marks)

Question Five

- (a) Examine instances when arrest without warrant may be enforced in the republic of Kenya. (10 marks)
- (b) Discuss some rights of the detained person. (10 marks)
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