

**UNIVERSITY COLLEGE OF LAW
KAKATIYA UNIVERSITY, WARANGAL, TELANGANA**

**BRANCH – II: CRIMINAL LAW
SYLLABUS (WITH EFFECT FROM 2020-2021)**

LL.M (Regular) I Year: Semester – I

Paper – I

LEGAL THEORY AND JURISPRUDENCE – I

Theory

5 Hours/Per Week

Marks: 100 (External – 80; Internal – 20)

Unit-I: Meaning, nature and definition of jurisprudence - General and particular jurisprudence - Schools of jurisprudence- Analytical, Historical, Philosophical and Sociological Schools of jurisprudence.

Unit-II: Theories of Law - Kelsen's Pure Theory of law – Hart's Concept of law – Modern Trends in analytical and Normative Jurisprudence – Economic Theory of Law – Views of Karl Marx - American and Scandinavian Realism – Critical Legal Studies Movement.

Unit-III: Meaning and Definition of Law - The Nature and functions of Law - The Purpose of Law- The Classification of Law- History of Natural Law – Greek Origins – Medieval Period – Period of Renaissance – Transcendental idealism – Natural Law and Social Contract Theories.

Unit-IV: Sources of Law-Legal and Historical sources- Custom as Source of Law- Definition of custom- General and Local Custom and Prescriptions - Precedent as Source of Law-Definition of Precedent, Kinds of Precedent- Doctrine of Stare Decisions- Original and Declaratory Precedent- Authoritative and Persuasive Precedents- Legislation as Source of Law- Definition of Legislation - Classification of Legislation – Supreme and Subordinate Legislation – Direct and Indirect Legislation.

Select Bibliography:

1. Salmond: Jurisprudence, Universal Publishers.
2. Paton : Jurisprudence
3. Allen : Law in the Making, Universal Publishers.
4. Mahajan V.D.: Legal Theory and Jurisprudence, Eastern Book Company, Lucknow.
5. Dias : Jurisprudence, Aditya Books.
6. Rama Jois, Legal and Constitutional History of India, Universal Law Publications, Delhi.
7. John Rawls-Theory of justice.

PAPER – II
LAW AND SOCIAL TRANSFORMATION – I

Theory

5 Hours/Per Week

Marks: 100 (External – 80; Internal – 20)

Unit-I: The Concept of evolution, Progress, change and social transformation - Social Change: Definition, nature and characteristics of Social change- Planned social change - Un-planned Social Change - Endogenous and Exogenous social change - Direction of Social Change - Theories related to social change - Deterioration theory, Cyclic theory, Linear theory and deterministic theory.

Unit-II: Social Change- Factors of Social Change- Geographical/ Environmental, Biological, technological, cultural, Economic and political - Law and social Change - State, Law and Society, their inter-relationship and interdependence – Law as an Instrument of Social Change - Symbolic and instrumental legislations - Law as a means of Social Control - Legal sanction and extra legal sanctions – Limits of Law in bringing out Social Change.

Unit-III: Identification of Goals of Social Changes in Indian Constitution – Directive principles of State Policy and social changes – Special provisions for Scheduled Caste, and Scheduled Tribes in Indian Constitution – Protective discrimination of SC/STs and OBCs.

Unit-IV: Context of Social Change: Sanskritisation, Westernisation Modernization and Secularization – Modernisation of Social Institutions through law - Economic reforms, Law and Social Change – Technology, Information, Communication and its impact on Law and Social Change.

Select Bibliography :

1. Marc Galanter (ed.), Law and Society in Modern India (1997), Oxford.
2. W. Friedmann : Law in Changing Society.
3. W. Friedmann : Legal Theory.
4. J. Stone : Social Dimensions of Law and Justice.
5. Julius Stone. The Province and Function of Law, Part II, Chs. 1.8-16 (2000), Universal, New Delhi.
6. Vilhelm Aubert : Sociology of Law.
7. C. K. Allen : Law in the Making.
8. A. V. Dicey : Law and Public Opinion in England.
9. Roscoe Pound : (a) Law and Morals, (b) Law, Liberty
10. M.N. Srinivas, Social Change in Modern India.

PAPER – III

GENERAL PRINCIPLES OF CRIMINAL LAW

Theory

5 Hours/Per Week

Marks: 100 (External – 80; Internal – 20)

Unit I:

Definition of Crime – Concept, Nature and scope of Criminal Law- Difference between Criminal, Civil and Moral Wrong - The Adversarial system of trial and the Inquisitorial system - Inchoate crimes - Crime and Criminal law - Elements of crime- Stages in the commission of crime - Principles of criminal liability-mens rea and actus reus – Strict liability – Vicarious liability under Criminal law.

Unit –II:

Organisation of Courts - Hierarchy of criminal courts and their jurisdiction – The organization of Police, Prosecuting Agencies and Defense Counsel – Importance of Fair Trial – International Conventions and UDHR - Constitutional Perspectives: Article 14, 20,21 and 22 – Rights of Accused person and Arrested person under the Indian Constitution and Cr.P.C - Principal features of Fair Trial – Pleas of *Autrefois Acquit* and *Autrefois Convict*.

Unit III:

Pre-trial Proceedings – Search and Seizure –General Principles of Search – Seizure – Constitutional aspects of validity of Search and Seizure proceedings – Investigation – Meaning and purpose of Investigation –F.I.R. and procedure after the recording of the F.I.R – Power of Judicial Magistrate to record Confessions and Statements –Charge Sheet and its Contents – Evidentiary value of Statements made to the police – Concept of Fair Disclosure - Fair Disclosure to the Accused and related Legal Provisions.

Unit IV:

Plea Bargaining – Meaning, Kinds , Different practices in USA and India - Correction and Aftercare service –The role of the Court in Correctional programmes - Post-conviction Orders in lieu of punishment - Probation of Offenders - Provisions in the Criminal Procedure Code and Probation of Offenders Act - Victim Compensation Scheme – Victim Justice and Emerging Trends in India.

Select Bibliography:

1. Gour K.D. : Penal Law of India
2. Hariesh: Criminal Law
3. A. Pill: Criminal ALw
4. V.S. Sinha: Principles of Criminal Law
5. Kenny: Outlines of Criminal Law
6. Hall: General Principles of Criminal law
7. Smith & Hogan : Criminal Law
8. Glanville Williams: Criminal Law (General Part).
9. Kelkar: Lectures on Cr.P.C.