

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

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

LL.M (Regular) I Year: Semester – II

Paper – I

LEGAL THEORY AND JURISPRUDENCE – II

Theory

5 Hours/Per Week

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

Unit-I: Concept of Rights and Duties – Definition of Right – Classification of Rights and Duties – Absolute and relative Classification of Rights and Duties – Relation between Right and Duty – Structure of Duty – Enforceability – Sanction – Conflicting Duties – Future Duties - Rights and cognate concepts like liberty, power, immunity –privilege.

Unit-II: Concept of Obligation – Nature of Obligation - Liability – Nature and kinds of Liability - Acts and Mens Rea - Intention and Motive – Relevance and motive - Absolute and Strict Liability - Theories of Negligence - Accident – Vicarious liability – Measure of Civil and Criminal Liability - concept of justice – Theories of punishment.

Unit-III: Property – Definition and Kinds of Property - Theories of Property - Concepts of Ownership and possession – Kinds of Ownership –Modes of acquisition of Ownership - Possession and its importance – Relation between ownership and possession - possessory remedies – Prescription – Agreement – Inheritance.

Unit-IV: Persons – Nature of personality – Legal status of Animals, Dead persons, Unborn Persons, Lunatic and Drunken Persons – Theories of Corporate Personality – Nature of corporate personality – Acts and Liabilities of Corporations – Criminal and Civil Liability of Corporations – The State as a Corporation.

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 – II

Theory

5 Hours/Per Week

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

Unit-I: Law and disadvantage sections of society - Caste as a divisive factor - Acceptance of caste as a factor to undo past injustices - Protective discrimination for Backward Classes, Minority and Scheduled Castes/Tribes – Protection of Civil Rights Act, 1976 - Abolition of Untouchability and Social Change - SC and STs (Prevention of Atrocities) Act, 1989 – Constitutional and Statutory Commissions for Scheduled Castes, Tribes and Other Backward Classes

Unit-II: Women and Gender Justice and its various forms - Protective and empowerment measures for Women under the Constitutional and Statutory Laws – Succession Laws and Women empowerment – Immoral Traffic (Prevention) Act, 1956 – Dowry Prohibition Act, 1961 – Protection of Women form Domestic Violence Act, 2005 - Women’s Commission.

Unit-III: Children and Law – Protective Measures under Indian Constitution - Child Labour – The Child Labour (Prohibition and Regulation) Act 1986 - Children and Education - The Right of Children to Free and Compulsory Education Act , 2009 – Prohibition of Child Marriage Act, 2006 and Social Change.

Unit-IV: Law and Development - Land Legislations and its impact on Society – Social Security and battle against poverty - Social Welfare Issues and Social Legislation in India - Problems and Concerns in the implementation of Social Legislation - Social Security and Labour Welfare.

Select Bibliography:

1. Marc Galanter, Law and Society in Modern India (1997) Oxford.
2. Upendra Baxi, Law and Poverty Critical Essays (1988) Vikas, New Delhi.
3. Manushi, A Journal about Women and Society.
4. H.M. Seervai, Constitutional Law of India, (1996)
5. Sunil Deshta and Kiran Deshta, Law and Menace of Child Labour (1997) Sage.
6. Agnes, Flavia, Law and Gender Inequality: The Politics of women Rights in India, Oxford.
7. Asha Bajpai, Child Rights in India, (2006) Oxford.
8. U. Baxi, The Indian Supreme Court and Politics (1980), Eastern, Lucknow.
9. John Rawls, A Theory of Justice (2000), Universal, Delhi.

PAPER – III
PRINCIPLES OF CRIMINAL LAW AND INDIAN PENAL CODE

Theory

5 Hours/Per Week

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

Unit-I: Preliminary crimes : Abetment, criminal conspiracy - Joint and constructive liability - General defences : (a) Excusable : Ignorance of law and fact; executive and judicial acts; accident; necessity; duress or coercion; infancy; drunkenness; insanity; consent; triviality (b) Justifiable : Right of private defence of person and property – Provocation - Burden of proof with relation to General Defences - Rights and protection of accused.

Unit II: Offences against State - Sedition - Offences against public tranquility - Offences relating to Human Body –Culpable Homicide - Murder, Attempt to Murder-Suicide - Hurt – Grievous hurt – Wrongful restraint and Wrongful Confinement.

Unit III:

Assessment of Criminal Force in matters of offence like kidnapping – Abduction - Sexual offences – Rape - Custodial rape – Recent Amendments in Criminal Law relating to Rape – Decriminalisation of Section 377 in India.

Unit IV:

Offences against properties – Mischief – Criminal Misappropriation – Criminal Breach of Trust - Cheating – Theft – Extortion – Robbery - Dacoity – Trespass - Offences relating to Marriage – Bigamy – Adultery – Decriminalisation of Adultery in India – Defamation - Elements and exceptions – Offences against Religion – Criminal Intimidation – Insult.

Books:

- 1 Gour K.D. : Penal Law of India
- 2 Hariesh: Criminal Law
- 3 A. Pill: Criminal ALw
- 4 V.S. Sinha: Principle of Criminal Law
- 5 Kenny: Outlines of Criminal Law
- 6 Hall: General Principles of Criminal law
- 7 Smith & Hogan : Criminal Law