



NATIONAL OPEN UNIVERSITY OF NIGERIA
FACULTY OF LAW
DEPARTMENT OF PUBLIC LAW
2021_2 EXAMINATION

COURSE CODE: PUL341
COURSE TITLE: CRIMINAL LAW I
CREDIT UNIT: 4
TIME ALLOWED: 3 HOURS

Instruction: ANSWER QUESTION 1 (ONE) AND ANY OTHER 3 QUESTIONS.
ALL QUESTIONS CARRY EQUAL MARKS (15 MARKS) EXCEPT QUESTION 1 WHICH CARRIES 25 MARKS.

- 1a. The Penal codes have adopted means on how to determine parties to a crime. Explain them with the aid of authorities.
- 1b. Banke and Sule are members of a secret society. In July 2019, they planned to attack Otunba Bello who by virtue of his position as the Chief Security Officer of the area has made it impossible for them to carry out their nefarious activities. Unfortunately a curfew was declared on the day for the attack. Two days later, in pursuance of the earlier agreement, Banke having waited for Sule went to Otunba's house, attacked him injuring him and left him for dead killing his son. Sule got there thirty minutes later. Discuss the legal issues involved.
- 1c. Jude in the midst of his friends, David and Simon boasted how he will make it in life. He even laughed at the prospect of robbing a bank and building mansions. Peter a passerby heard him and reported to the police. Jude was arrested and charged for robbery. Determine his criminal liability if any.
2. Tanya and Ofor are from the same State. They both had conflicting claims to ownership of a parcel of land situate in their State. Deep into their dispute, Ofor erected a building on the land compelling Tanya to institute an action at the High Court for an injunction and trespass against Ofor. During the pendency of the suit, Ofor installed some electric poles and fluorescent light on the land in dispute so as to supply electricity for the purpose of a funeral ceremony. He subsequently refused to remove the poles despite demand by Tanya. Tanya went upon the land, removed the poles and fluorescent lights and destroyed them. Tanya claims he has bona-fide claim of right over the land. With the aid of authorities, explain what must be established for this claim to succeed.
3. The following are relying on the defence of accident in the following circumstances. Determine if the defence will with the aid of authorities avail them;

- a.** Tim was beating Sly when Sly's wife with a baby on her back came to her husband's aid. In trying to hit the woman with his fist, Tim accidentally struck the baby
- b.** Sam was to be disarmed by tear gas by the Police. He ran into Dan's house and fired his gunshot thereby hitting Dan in the stomach and causing his death.

4a. Explain the maxim 'Volenti non fit injuria'

4b. Dabo a medical doctor professed to give medical and surgical treatment for money. Vicky, a girl of nineteen years of age, approached him because of her illness and he advised that a surgical operation would be necessary. Under the pretence that he was carrying out this operation, he had carnal knowledge of her. Determine with authorities his liability.

5. Judicial officers whether in courts or in chambers are given protection for their judicial act.

Discuss stating the circumstance under which this defence will avail them

6. Explain the circumstances under which husband and wife enjoy immunities under the law.