



جامعة السلطان الشريف علي الإسلامية
UNIVERSITI ISLAM SULTAN SHARIF ALI
SULTAN SHARIF ALI ISLAMIC UNIVERSITY

Faculty of Shariah and Law
Semester I, 2014/2015 Academic Session

Examination Question Paper

Course Code : LB 4303
Course Name : Criminal Procedure I
**Course Level : Bachelor of Laws (LL.B) & Bachelor of
Shariah Law (BSL)**
Time : 3 hours

Reference allowed:

Criminal Procedure Code

Note(s):

1. Answer question 1 in Part A and any **Two (2)** questions in Part B.
2. All answers, wherever relevant, must be supported by statutory provisions and case law.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Part A (Compulsory)

QUESTION 1

Inspector Saiful is in charge of a road block along Jalan Pasar Gadong. His subordinates, who are mostly police constables, in the course of their duty, are stopping and inspecting every vehicle that passes through the roadblock. Mat Saman, a motorist, who is not wearing his seat belt, is asked by one of the police constables manning the roadblock to stop his vehicle on the side of the road. The constable then requests Mat Saman to produce his identity card and his driving licence to enable him to write Mat Saman's particulars on the summon for not wearing the seat belt, which is a non-seizable offence under the Road Traffic Act (Chapter 68). However, Mat Saman not only refuses to give his identity card and his driving licence but he also refuses to get out of the car as asked by the police constable. Not knowing what to do, the latter tells Mat Saman not to go away while he goes to see his superior, Inspector Saiful, for instructions as to what he is supposed to do since he could not write his (Mat Saman's) particulars on the summon.

Failure to wear seat belt is an offence under section 8(1) of the Road Traffic Regulations 1988.

Assuming you are Inspector Saiful, determine the appropriate instructions that you ought to give to your subordinate by considering the following matters:

- (a) Whether Mat Saman is already under arrest at the material time;
- (b) Whether Mat Saman may be arrested without warrant; and
- (c) Whether he could pull Mat Saman out of the car.
- (d) On further examination the police discovered dangerous weapons in the boot of the car.

(5 marks each)

PART B

ANSWER ANY TWO (2) QUESTIONS

QUESTION 2

The Public Prosecutor normally initiates, conducts, and discontinues prosecution of criminal cases.

Discuss.

(10 marks)

QUESTION 3

Discuss the law relating to bail and in what circumstances can an application for bail be denied

(10 marks)

QUESTION 4

Write short notes on the following:-

(a) First Information Report

(2 marks)

(b) Duplicity of Charge

(2 marks)

(c) Illegally obtained evidence

(6 marks)

بالتوفيق والنجاح