

OLABISI ONABANJO UNIVERSITY, AGO IWOYE
FACULTY OF LAW
CENTRE FOR CONTINUING EDUCATION (CCED)
DIPLOMA IN LAW PROGRAMME
HARMATTAN SEMESTER EXAMINATION 2015/2016
CRIMINAL LAW (DIL 103)

INSTRUCTIONS: YOU ARE REMINDED THAT EXAMINATION MALPRACTICE IS A STRICT LIABILITY OFFENCE UNDER THE NIGERIAN LAW. PLEASE CONFORM TO THE EXAMINATIONS RULE AND REGULATIONS

1. Criminal law regulates human conduct and tell people what they can do and in some instances, what they must not do under certain circumstances." Discuss the nature and purposes of crimes in a modern state.

2. (a) Akanji is well hated by many. Ajani armed with a loaded pistol sets out to eliminate him on a certain Sunday morning. Upon sighting Akanji he took aim to shoot but heard a loud gunshot which hit Akanji killing him. The gun shot came from another man not known to him. Advise the Police on the criminal liability of Ajani. *Sec 4 Attempted murder*

(b) Supposing that Ajani took a shot at Akanji which hit him on the upper arm leaving Akanji slightly injured, what offence would you prefer against Ajani?

3. (a) Law cannot but be superior to other norms. But there is a symbiotic relationship between law and Morality. Discuss.

(b) Akala is arraigned in court for an offence under the Sexual Harassment (Protection of Minors) Prohibition Law 2016 of Agatu State. The arraignment is on 2/3/16. The particular of the charge read: "That you Akala Mujela on 15/7/2014 at Popo town within the Popo Magisterial District of Agatu State did sexually harass Adijatu a female child aged 7 years by touching her genitalia which offence is punished by a imprisonment for two years without an option of fine." Advise Akala on the lawfulness or otherwise of the charge against him.

4. X, a construction worker is working on the third floor of a highrise building at Abeokuta. His conduct caused the death of W who was hit on the head by a hammer as he was walking on the side walk past the building. Advise in the light of the facts below:

- a) X deliberately dropped the hammer so as to hit W on the head. *Intention Sec 316*
- b) X did not want to kill anybody but wanted to scare and as he took delight in seeing people below scampering in fright at the drop of the falling hammer. *recklessness Sec 316 (gun) 4*
- c) X threw the hammer at another worker in a fight but missed. The hammer fell on W killing him. *Transport*
- d) X was knocked unconscious when a crane collapsed causing him to drop the hammer which hit and killed W. *accident*

5. (a) A Sentencer or the Judge is mostly in dilemma of the penal options that will suit the circumstances and peculiarities of the Accused person who has been convicted, but the task must be done. List and discuss the penal options opened to the Court when punishing for crime violations under the Nigerian Criminal Code.

(b) Explain three common penal objectives as rooted in criminological theories.

6. How well does Nigerian Law ensured protection for the Accused standing trials in our Courts? Discuss relying on the provisions of the Constitution of the Federal Republic of Nigeria 1999.