



NATIONAL OPEN UNIVERSITY OF NIGERIA
FACULTY OF LAW
DEPARTMENT OF PUBLIC LAW
2020_1 EXAMINATION

COURSE CODE: PUL342
COURSE TITLE: CRIMINAL LAW II
CREDIT UNITS: 4
TIME ALLOWED: 3 HOURS
INSTRUCTION: ANSWER QUESTION 1 (ONE) AND ANY OTHER 3 (THREE) QUESTIONS. (QUESTION 1 (ONE) ATTRACTS 25 MARKS WHILE OTHERS ARE 15 MARKS EACH)

1. The civil service of Kango Republic intends to do massive recruitment into three different parastatals that have just been created within the state. The permanent secretary of the civil service published vacancies to the general public for intending applicants. Within the first five days of the publication, 200,000 persons applied to fill 100 vacancies. Tunde, a director within the civil service mailed the applicants requesting them to pay the sum of N5,000 into a designated bank account to fast track their application process and ensure recruitment into the civil service. The Permanent Secretary has handed Tunde over to the police who intend to charge Tunde to court. Advise the police on the most appropriate charge, the elements of the charge and the likelihood of success. **25 marks**

2. Orlando is the president of the Students' Union of Kango State University. Due to the incessant ASUU strike in the country, Orlando mobilized the national student union of Kango State to stage a protest march against the present administration of the country of its administrative incompetence, ineptitude and violation of human rights to education of the students of Kango State. Orlando also granted a TV interview where he accused the sitting government of Kango State of religious and ethnic bigotry and called on international organizations to help fight for justice. Two days before the protest march, the secret police of Kango invaded Orlando's hostel and arrested him. The chief police of Kango have stated that Orlando and his executives are inciting insurrection against the administration. Your father is the chief police of Kango and asked for your advice on appropriate charge. Advise him. **15 marks**

3. The National Union of tricycle owners called a meeting to decide on the action to be taken against the recent ban of tricycle in all government reserved areas of Teheran state. They resolved to organize a peaceful procession at the city square until the government of the day reneged on the ban. On the commencement of the strike action, as they began moving towards the city square, hooligans took advantage of the crowd and began looting innocent traders. When the union noted that the assembly is becoming riotous, they called their members together and left the scene. Bongo sighted Bako looting a shop and pounced on him. The two of them began to fight. The police have arrested Bongo and Bako for fighting and also about 100

of the peaceful protesters for unlawful assembly. **Discuss all the legal issues herein. 15 marks**

4. Tope, a female law student at the Obed University has written a petition to the Senate of the university accusing Dr. Henry, a lecturer in the faculty of demanding for some benefit in order to give her a pass mark in the compulsory course being handled by Dr. Henry in the faculty. According to Tope, Dr. Henry had informed her that she failed woefully in his course but will assist her to pass if she would pay the sum of N150,000 and spend the night with him in a hotel room. As a student of criminal law, advise the committee on the petition. **15 marks**

5. Comrade George, the councilor of his local government, before his appointment as councilor was a successful farmer and business man. He engages in the importation of foreign rice into the country while he exports local produce from his farm. He has a foreign bank account to facilitate his international purchases. On assumption of office as chief councilor, he did not declare all his assets. Six months ago, the government of the state closed the border to all imported goods and made Comrade George the Chairman of the tribunal of those who continued to import goods into the country despite the border closure. The National Association of Importers and Exporters have come to felicitate with him and given him a very 'handsome gift'. He has approached you to advise if his actions contravene any known law. Advise him. **15 marks**

6. Write short notes on:
 - (a) Judicial corruption
 - (b) Bail **15 marks**