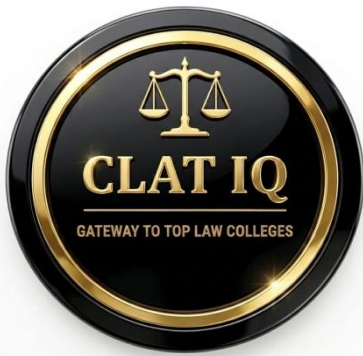




NAME:.....

SUBJECT:.....

DATE:.....

Daily Speed Maintenance Test

Wrongful Restraint: Voluntarily obstructing a person so as to prevent them from proceeding in any direction in which they have a right to proceed.

Essentials:

There must be obstruction.

The obstruction must be voluntary.

The victim must have a legal right to proceed.

The obstruction prevents movement in that direction.

Wrongful Confinement means: Wrongfully restraining a person in such a manner that the person cannot proceed beyond certain limits.

Essentials:

Wrongful restraint must already exist.

The obstruction is complete.

Movement is restricted in ALL directions.

The confinement must be unlawful.

Wrongful Restraint

One direction blocked

Partial restriction

Victim may move elsewhere

Less serious

Wrongful Confinement

All directions blocked

Complete restriction

Victim cannot leave

More serious

1. Rahul and Aman argue during lunch. Rahul becomes angry and stands in front of the only classroom door for ten minutes. Aman wishes to leave but cannot because Rahul refuses to move.

2. Neha's friends lock her inside the music room as a prank and leave for half an hour. She cannot leave through any door or window.

3. A blocks one exit of a stadium. Three other exits remain open and accessible.

4. A security guard locks the office from outside without authority because employees refused to work overtime. The employees are unable to leave for one hour.

5. During a protest, demonstrators form a human chain across the only entrance to a government office, preventing employees from entering or leaving.

- **Wrongful Restraint** = Preventing someone from moving in a direction they have a legal right to take.

- **Wrongful Confinement** = Completely preventing someone from leaving a place by blocking all possible exits.
- No physical injury is required.
- No physical contact is required.
- The key distinction is **partial restriction (restraint)** versus **complete restriction (confinement)**

KIDNAPPING AND ABDUCTION

Kidnapping from Lawful Guardianship

A person commits kidnapping if they take or entice a **minor**, or a **person of unsound mind**, out of the keeping of their lawful guardian **without the guardian's consent**.

Essentials:

The victim must be a minor or a person of unsound mind.

The person must be taken or enticed.

Without the consent of the lawful guardian.

The accused must remove the minor from the guardian's keeping.

Abduction occurs when a person is compelled by **force** or induced by **deceitful means** to move from one place to another.

Essentials:

Force

Deceitful Means

Movement from one place to another

Kidnapping	Abduction
Victim is usually a minor or person of unsound mind	Victim can be any person
Guardian's consent is crucial	Guardian's consent is irrelevant
Force is not required	Force or deceit is required
Complete once the child is taken or enticed	Requires movement by force or deceit
An independent offence	Usually punishable only when linked with another unlawful purpose

1. Rahul, aged 15, is waiting outside his school. Amit tells him, "Your parents asked me to take you home." This is false. Rahul believes Amit and goes with him.
2. A falsely tells B that his younger brother has been injured and urgently needs help. Believing this, B follows A to an isolated building.