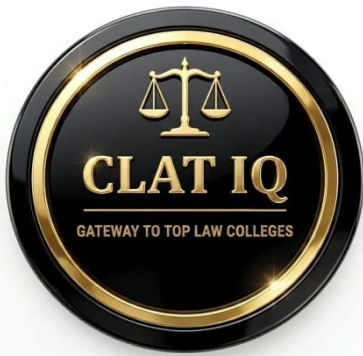




NAME:.....

SUBJECT:.....

DATE:.....

Daily Speed Maintenance Test

Legal Principle: Whoever takes or entices a minor under eighteen years of age (if female) or under sixteen years of age (if male) out of the keeping of the lawful guardian without the guardian's consent commits the offence of kidnapping. The willingness or consent of the minor is immaterial. Consent of the lawful guardian alone is relevant.

Passage 1: Sixteen-year-old Aarav had been attending coaching classes for several months, where he became friends with twenty-three-year-old Kunal. Aarav often complained that his parents were overly strict and refused to let him pursue music as a career. Over time, Kunal encouraged Aarav to leave home and promised to help him settle in another city, assuring him that he would eventually convince Aarav's parents. One evening, Kunal called Aarav and informed him that he had booked train tickets for both of them. Aarav quietly packed his belongings, left a note stating that he was leaving voluntarily, and met Kunal at the railway station. Kunal was aware that Aarav's parents had no knowledge of the plan and had not given permission for him to leave.

When Aarav's parents discovered that he was missing, they immediately filed a police complaint. Two days later, the police traced Kunal and Aarav to a hostel in another city. During questioning, Aarav repeatedly stated that Kunal had never forced or threatened him. He insisted that leaving home was entirely his own decision and that Kunal had merely helped him fulfil his wish. Kunal argued that he had not "taken" Aarav anywhere because Aarav had approached him first. He further claimed that since Aarav willingly accompanied him and no force, deception or coercion was involved, he had committed no offence. Aarav's parents, however, maintained that Kunal had repeatedly persuaded their son to leave home despite knowing that they had never consented to such a plan.

1. Kunal's argument that Aarav left voluntarily is:

- A. Correct because no force was used.
- B. Correct because Aarav was mature enough to decide.
- C. Incorrect because the consent of the minor is immaterial.
- D. Incorrect only because Kunal purchased the tickets.

2. Suppose Aarav had been **19 years old**, while all other facts remained the same. Which is the most appropriate conclusion?

- A. Kunal would still be guilty.
- B. Kunal would not be liable under this principle merely because the parents did not consent.
- C. Kunal would automatically be guilty because he persuaded Aarav.
- D. Kunal would be guilty because he arranged transportation.

3. Which of the following facts best supports the inference that Kunal "enticed" Aarav?

- A. He repeatedly encouraged Aarav to leave home and promised to help him settle elsewhere.
- B. He travelled by train.
- C. Aarav packed his own luggage.
- D. Aarav left a written note.

Legal Principle: A person wrongfully confines another if he intentionally restrains that person in such a manner as to prevent him from proceeding beyond certain circumscribed limits. Mere obstruction of one direction does not amount to wrongful confinement if the person is free to proceed in other directions.

Passage 2: A dispute arose between the management of Greenfield Residency and one of its residents, Meera, over unpaid maintenance charges. Believing that Meera would leave the premises without settling the dues, the estate manager instructed the security guards not to allow her car to exit through the main gate. When Meera attempted to leave the complex, the guards stopped her vehicle at the main gate and informed her that she would not be permitted to drive out until she cleared the outstanding amount. Meera protested and asked the guards to move aside. The guards refused.

The residential complex had three exit gates. However, due to renovation work, one gate had been permanently closed for several weeks, while another remained open throughout the day and was located about 300 metres from the main gate. The guards neither blocked nor monitored that gate. Instead of using the alternative exit, Meera parked her car and remained near the main gate for nearly two hours, repeatedly demanding that the guards permit her to leave through that particular gate. Eventually, another resident informed her about the operational rear gate. Meera immediately drove out through that gate without any interference. Later, Meera filed a complaint alleging that she had been wrongfully confined. The management argued that, although one gate had been blocked, she was never prevented from leaving the residential complex altogether because another exit remained freely accessible.

1. Which fact is **most relevant** in determining whether Meera was wrongfully confined?
 - A. The maintenance charges were unpaid.
 - B. One exit gate remained open and unrestricted.
 - C. Meera argued with the guards.
 - D. The dispute lasted for two hours.
2. If all three exits had been blocked by the guards, which conclusion would be most appropriate?
 - A. There would be no offence because the dispute concerned maintenance charges.
 - B. Wrongful confinement would likely be established.
 - C. Only wrongful restraint would arise.
 - D. No offence would arise because no force was used.
3. The management's strongest defence under the principle is that:
 - A. Meera owed maintenance charges.
 - B. The guards acted politely.
 - C. Meera could leave through another open exit.
 - D. Meera eventually left after two hours.
4. Suppose the rear gate had also been locked, but pedestrians could still leave through a small side pathway. Which statement is most appropriate?
 - A. Wrongful confinement would automatically be established.
 - B. The availability of another unrestricted route would remain legally significant.
 - C. Meera would necessarily succeed.
 - D. The unpaid dues become irrelevant.