

EXCEPTION TO MURDER

Murder is a heinous crime punishable by the Indian Penal Code. Murder is defined in Section 300, which states that culpable homicide constitutes murder.

Section 302 specifies the penalty for murder. Section 300 provides for certain exceptions, such as culpable homicide that does not amount to murder, which is punishable under Section 304 of the Indian Penal Code. The following are the general exceptions to murder.

- 1. SUDDEN AND GRAVE PROVOCATION:** When a person loses control due to a sudden and grave provocation and kills the person who gave the provocation or any other person as a result of a mistake or an accident, he is liable for the culpable not amounting to murder. The following are the necessary conditions:

- The deceased had provoked the accused.
- Provocation must be unexpected.
- Provocation must be severe.
- The accused had lost his ability to control himself.
- The accused must have killed the person who caused the provocation.
- The accused must not have malicious intent.

In the case of *K.M Nanavati vs. Maharashtra, 1962 SCR Supl. (1) 567*. This is a landmark case. The court stated that-

- Gestures and words in certain situations cause an accused to be provoked in such a way that his action falls under this exception.
 - To determine the sudden and grave provocation, a test is established to determine whether any other reasonable man with the same capacity and belonging to the same class or sections of society, if placed in the same situations as the accused, would be provoked to the point of losing self-control.
 - The victim's previous act must be considered in determining whether the subsequent act was sufficient to cause a sudden and grave provocation.
 - The fatal blow on the person who causes a sudden and grave provocation should be delivered immediately, not after he has had time to calm down or cool down.
- 2. WHEN THE PERSON EXCEEDS HIS RIGHT OF SELF-DEFENCE:** When a person exercising his right to private defense of property or person in good faith exceeds the power granted to him, resulting in the death of the

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M Walker



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A General Abridgement of Law and Equity Charles Viner, 1743 **The Northeastern Reporter**, 1922 Cases argued and determined in the courts of Illinois Indiana Massachusetts New York Ohio with key number annotations varies Ratanlal & Dhirajlal's Law of Crimes by Taxmann [30th Edition] - Incorporating a Century of Scholarship at its Core—Through Authoritative Commentary | Comparative Analysis | Extensive Case Law Justice Uday Umesh Lalit, 2025-03-07 For over 125 years Ratanlal this work is imbued with judicial insights complementing the scholarship for which Ratanlal Dowry Prohibition Act 1961 Motor Vehicles Act 1988 and others as contextually relevant The structure of the book is as follows Reproduction of Each BNS Section Ensures immediate reference to the statutory language before delving into interpretative commentary Overview of Section Highlights the legislative objectives critical elements and scope of each section with paragraph references Comparison of BNS IPC Provides side by side analysis to pinpoint the modifications relocations or repeals of sections Section Analysis at a Glance An easy to read breakdown of the most complex or newly introduced provisions giving a quick conceptual roadmap Detailed Commentary o In depth exposition informed by statutory text judicial precedents cross citations to other laws and scholarly opinions o Incorporates foreign case law where relevant enhancing comparative legal insight Summarised Classification of Offences Tabular presentation of each offence s punishment whether cognisable or bailable triable courts and compoundability enabling efficient navigation Appendices References Relevant extracts of major overlapping legislation official statements of objects and reasons and indexing of old vs new sections **Lawyer's Reference** Bengal (India), 1909 **The Indian Digest** V. V. Chitale, 1921 **Reports of Cases Argued and Determined in the Supreme Court of Alabama** Alabama. Supreme Court, 1921 *Law of India* Andrew Lyon, 1873 **The Texas Criminal Reports** Texas. Court of Criminal Appeals, 1912 **A Treatise on Crimes and Misdemeanors** Sir William Oldnall Russell, 1923 **Report of Cases Argued and Determined in the Court of Appeals of Alabama** Alabama. Court of Appeals, Lawrence H. Lee, 1929 The South Western Reporter, 1896 Includes the decisions of the Supreme Courts of Missouri Arkansas Tennessee and Texas and Court of Appeals of Kentucky Aug Dec 1886 May Aug 1892 Court of Appeals of Texas Aug 1892 Feb 1893 Jan Feb 1928 Courts of Civil and Criminal Appeals of Texas Apr June 1896 Aug Nov 1907 Court of Appeals of Indian Territory May June 1927 Jan Feb 1928 Courts of Appeals of Missouri and Commission of Appeals of Texas *Massachusetts Reports* Massachusetts. Supreme Judicial Court, 1906 **The Texas criminal reports**, 1913 *Journal of the Assembly, Legislature of the State of California* California. Legislature. Assembly, 1942 Lawyer's Reference United Provinces of Agra and Oudh (India), 1911 Reports of Cases Argued and Determined in the Supreme Court of Alabama During the ... Alabama. Supreme Court, 1921 Commentaries on the Indian Penal Code (Act XLV of 1860) India, John Dawson Mayne, 1884 The Southeastern Reporter, 1911 North Carolina Reports North Carolina. Supreme Court, 1909 **Report of Cases Argued and Determined in the Supreme Court of Alabama** Alabama. Supreme Court, 1921

Whispering the Secrets of Language: An Mental Journey through **Exception To Murder**

In a digitally-driven earth where displays reign great and quick communication drowns out the subtleties of language, the profound techniques and psychological nuances concealed within phrases often go unheard. Yet, located within the pages of **Exception To Murder** a captivating fictional treasure pulsating with raw feelings, lies a fantastic journey waiting to be undertaken. Written by an experienced wordsmith, this marvelous opus invites visitors on an introspective journey, softly unraveling the veiled truths and profound impact resonating within the cloth of each and every word. Within the emotional depths of this emotional review, we will embark upon a heartfelt exploration of the book is core themes, dissect their charming publishing style, and fail to the powerful resonance it evokes strong within the recesses of readers hearts.

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