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COLLEGE OF
LAW



FOURTH K L NATIONAL MOOT COURT COMPETITION

organised by

KLEF COLLEGE OF LAW

24-25 JULY & 30-31 AUGUST 2024

VENUE:- KLEF COLLEGE OF LAW, KL UNIVERSITY, VIJAYAWADA, A.P
sdm_klef@kluniversity.in



INVITATION

We are delighted to invite your esteemed institution to participate in the **Fourth Koneru Lakshmiah National Moot Court Competition** scheduled to take place in **blended mode (online+offline)**. The preliminary rounds are scheduled to take place on the 24th and 25th July 2024 in **ONLINE MODE** from which the top 16 teams will be selected and invited to KL University for the **OFFLINE ROUNDS** to be held on 30th and 31st August, 2024. The competition is organised by the Society for Debating and Mooting (SDM), KLEF College of Law, KL University. We sincerely believe that it will provide an excellent platform for law students to showcase their advocacy, oratory, and research skills. The Competition is an opportunity for students to simulate a court proceeding presenting legal arguments, gain handsome experience in the courtroom, develop their research, writing, and oral advocacy skills, and interact with peers from other institutions.

The competition is open to students from all law colleges across the country. We take pride in providing an enriching experience for our participants, and we are confident that this year's competition will be even more engaging and fulfilling. The competition will be judged by a panel of experienced judges, academicians, and legal practitioners, providing valuable feedback and insights to the participants based on the spirit of competitiveness, transparency and appreciation of merit.

We would like to extend a cordial invitation to your institution to participate in this year's competition. We believe that your institution's participation would add value to the event and further enhance its prestige. Please find attached a detailed information brochure regarding the competition, including the rules and regulations, registration form, and other essential details.

Please feel free to contact us at sdm_klef@kluniversity.in for any clarifications or assistance with the registration process. We look forward to your institution's participation in this event and hope to see you at KL University soon.

Sincerely,
The Organising Committee





ABOUT

KONERU LAKSHMAIAH UNIVERSITY

The Koneru Lakshmaiah Charities which was established as a trust in the year 1980 with its official address at Museum Road, Governorpet, started KL College of Engineering in Vijayawada, Andhra Pradesh in the Academic year 1980-81. The College was upgraded to KL College of Engineering Autonomous in 2006 by UGC, and was declared as a Deemed to be University in 2009 by UGC, MHRD Govt. of India. In 2012 as a Deemed to be University, the institution was accredited by NAAC with A Grade, and later in 2018, was re-accredited by NAAC with A++ grade. In 2019 UGC, MHRD declared this institution as Category I Institution. KL Deemed to be University has received the Platinum Band (A++ Grade) in The Green Rankings 2023 by R World Institution Rankings.





ABOUT

THE COLLEGE OF LAW

KLEF College of Law was established in the Academic Year 2015-16 with the prior approval of the Bar Council of India (BCI). The College of Law at KL University is training students for the 5 Year Integrated BBA. LL.B. program as well as 3 Year LL.B. program and L.L.M in four specialization fields. We also offer research activity with Ph. D, both full-time and part-time.

The College of Law runs on the lines of National Law Schools of the country. The former Vice Chancellor of National Law School of India University, Bangalore, Prof. R. Venkata Rao and the former Central Information Commissioner and former Professor of Law at NALSAR, Hyderabad, Prof. Madabhushi Sridhar, Justice K.G.Shankar, (retired Judge of AP High Court) are part of the External Experts on the Board of Studies in Law, and have helped to finalize the program structure and detailed syllabus.

The College of Law is endowed with a strong team of faculties and a comprehensive study environment. We are well equipped with extensive infrastructure for both online and offline conduct of classes. Since the need of the hour is to provide the new generation with advanced methods of legal study, we at the College of Law, KL University are on it. Furthermore, the delivery of non-law subjects is handled by subject experts. Thus, you may entrust us with your wonderful career at College of Law, K L University.



ABOUT

THE FOURTH KL NATIONAL MOOT COURT COMPETITION

The Fourth KL National Moot Court Competition is organised by KL University, located in Vijayawada, Andhra Pradesh, India. The competition is open to all law students enrolled in recognized law schools across India. The objective of the competition is to provide law students with an opportunity to hone their legal research, advocacy, and presentation skills by arguing before a simulated court. The competition focuses on the practical aspects of legal education and aims to develop critical thinking, analytical, and communication skills in students.

The competition follows the traditional format of a moot court competition, where students present oral arguments before a panel of judges. The judges evaluate the arguments based on the quality of legal research, advocacy skills, and overall presentation. The FOURTH KL National Moot Court Competition is one of the most prestigious moot court competitions in India, attracting participants from leading law schools across the country. The competition provides an excellent platform for law students to showcase their talents, network with peers, and gain exposure to the legal profession.

The competition is an excellent opportunity for law students to develop practical legal skills, gain experience in advocacy, and network with legal professionals. This year's competition is being conducted in a blended mode (online + offline). We wish all the participants best of luck.

RULE BOOK

RULES AND REGULATIONS:

- The Organising Committee of the Fourth KL National Moot Court Competition will have exclusive authority to interpret the rules in the interest of just and fair competition. The definitions placed below by the Organising Committee shall be final and the decision of the Organising Committee regarding the applicability of these rules will be final. These rules may be called the rules for the Fourth National Moot Court Competition, 2024.
- The decision taken by the Panel/Judge will be final; if any disputes arise, they are subject to be resolved at the discretion of the organising committee.

DATES, VENUE and STRUCTURE OF THE COMPETITION:

- The Fourth KL National Moot Court competition will be held in **BLENDED MODE**.
- The preliminary rounds shall be conducted in the Online Mode on 24th and 25th July 2024.
- The rounds of Octafinals, Quarterfinal, Semifinal and Final shall be conducted in Offline mode, on the 30th and 31st of August 2024 at KLEF College of Law, KL University, Vijayawada.
- From Leg I (online rounds) top 16 teams shall be shortlisted for Leg II (offline rounds)

LANGUAGE:

- The official language of the competition shall be **ENGLISH** only.

ELIGIBILITY FOR PARTICIPATION:

- The Competition is open to all students, enrolled bona fide on a regular basis in an undergraduate Law course (5 years Integrated Law course/ 3 Year L.L.B Course) or its equivalent conducted by any recognized Institution/College/University of any State.

TEAM COMPOSITION:

- The team shall comprise either two members (being designated as Speakers and one of the speakers shall be designated as Researcher) OR three members (two of them shall be designated as Speakers and one of them shall be designated as Researcher). No team will be allowed to substitute any of its members after a team has submitted its Registration form, except with the permission of the organisers.

IDENTIFICATION OF PARTICIPATING TEAMS:

- Each participating team will have a team code and communicate via email to every participating team after the submission of their memorial.
- Disclosure of identity of the parent College/ Institution/University otherwise than on the registration form shall incur disqualification of the participating team.

ANONYMITY:

- Student council may introduce her/himself to the court in the usual manner and may also state her/his name. However, the team's college/institution affiliation shall not be mentioned at any time before the awards ceremony.
- Further, all team members, coaches, advisors, and observers shall refrain from identifying a team's school at any time and in any manner, including, but not limited to, wearing any identifying items, such as school clothing, ties, patches, or pins or carrying identifying material (such as a book with a college logo, or college seal).
- Any material presented to the Panel should be devoid of any identification marks/ seal of the team. If any such mark/ seal exists, it shall be treated as resorting to unfair means.
- Any violation of the Rules stated above shall attract penalty or disqualification as determined by the Moot Court Society. The decision of the Judges in this regard shall be final and not subject to challenge.

DRESS CODE:

- The participating teams must adhere to the following dress code during the moot court competition.
- Male- White shirt, black trousers, black tie, black coat, and black shoes.
- Female- long tunic with baggy pants and white shirt and black trousers along with a black coat and black shoes.

CORRECTION AND CLARIFICATIONS:

- The teams may request for correction and clarification regarding the moot proposition as per the date given in the important dates, i.e., 03rd July 2024. Such requests shall be sent to sdm_klef@kluniversity.in only. No other mode of communication will be taken into consideration. The clarifications shall form part of moot proposition.

MEMORIAL SUBMISSION:

- All memorials submitted for all purposes of the Competition shall firmly comply with the rules of the competition. Each participating team must prepare three written submissions, one for each Petitioner/Applicant(s) as well as the Respondent(s) side. Petitioner/Applicant(s) memorials are required to have a Blue cover and Respondent(s) memorials are required to have a Red cover.
- Only soft copies of memorials shall be submitted in .doc/.docx/.pdf format latest by **11:55 pm** on **13 JULY 2024** through the link or by scanning the QR code provided at Page no. 17 of this brochure.

PLAGIARISM POLICY:

- Plagiarism in any manner is strictly prohibited and if any participating team is found to be indulging in the same shall be disqualified from the competition. The decision of the organising committee regarding plagiarism would be final and binding on all participants.

MEMORIAL CONTENT:

- The memorial must contain the following pages only: -
 - a. Cover Page –The cover page shall contain the Case Title, Party Name, Name of the Court, and Team Code in the top right corner.
 - b. Table of Contents.
 - c. Index of Authorities.
 - d. Statement of Jurisdiction.
 - e. Statement of Facts.
 - f. Issues Raised.
 - g. Summary of Arguments.
 - h. Pleadings/Arguments Advanced.
 - i. Prayers.

GUIDELINES FOR MEMORIAL FORMATTING:

- The following content specifications must be strictly followed: -
 - a. The memorial shall be typed on an A4 size page and all the pages of the memorial should have a page number at the bottom.
 - b. Font and Size (General) –Times New Roman, 12 pts.
 - c. Line Spacing (General) – 1.5 lines.
 - d. Font and Size (Footnotes) –Times New Roman, 10 pts.
 - e. Line Spacing (Footnotes) – Single lines. line spacing 1.
 - f. Page Margins – 1 inch on all sides.
 - g. Color of Memorial: Appellant/Petitioner -Blue / Respondent-Red.
 - h. All the citations and footnotes must be in adherence to the 21st Edition of Bluebook.

DEFINITIONS

- The following ‘expressions and words’ used in this competition will have the following meanings
1. “Competition” means ‘Shri. Koneru Lakshmaiah Memorial Fourth national Moot Court Competition, 2024.
 2. “Compendium” means ‘Collection of all the materials/ documents referred by the mooters in the memorial. It also includes the extract of the Judgment, case laws, textbooks etc.’
 3. “organising Society” means The Society for Debating and Mooting (SDM) consisting of one faculty coordinator and core committee.
 4. “Participating College/Institution/University” shall be the parent Institution of the participating team.
 5. “Participating Team” means the ‘team from participating College/ Institution/ University registered for the competition as per the rules stated in this document.
 6. “Reservation” means ‘the right reserved by the organising Society/ higher authorities of KLEF to invite any College/ Institution/ University without any formalities of registration etc.’ “Registration” means ‘the registration of participating team on receiving the Registration Form with Demand Draft/ Online Payment’.
 7. “Participants” means ‘the two Student-Speakers and the Research Associate of the participating team’.
 8. "Problem" means ‘the problem selected for the Round’ (Annexure) for the competition.
 9. "Bench" Refers to the members duly invited by the institute, to adjudge any of the rounds, collectively.
 10. "Clarifications" Means any questions, queries, or doubts sent by the registered teams about clarification and explanation of any legal or factual issue to the organising society, within the given deadline.
 11. "Speaker" Refers to a participant who presents oral arguments in any given round.

12. The Rules must be strictly adhered to by the participating team without any deviation but any deviation from the rules would attract Disqualification and/or Penalty by the organising Society’.
13. “Disqualification” means ‘Disqualification incurred by participating team as per the decision taken and communicated to the participating team by organising Society.’
14. “Penalty” means ‘any sanction other than Disqualification of the participating team announced by the organising Society.
15. “Judges” means ‘the Sitting, as well as retired Judges of Higher and Lower Judiciary, Senior Law Faculty Members and Senior Lawyers, appointed at the discretion of organising Society from different parts of India to evaluate the performance of participating teams in oral arguments by allotment of marks as per evaluation procedure’.
16. “Evaluation” means ‘allotment of marks at Preliminary and Final Rounds by Judges invited by organising Society on evaluation of the performance of participating teams and also evaluation and allotment of marks to written Memorials’ by Panel of Evaluators selected and appointed by organising Society. For the removal of doubts it is hereby informed that in case of any doubt, dispute, disqualification etc. of any participating team, the decision of the Organising Society shall be final.
17. "Rules” means ‘The Moot Court Competition-2024 Rules as originally framed as amended by the organising Society duly notified in the Website from time to time.
18. "Moot Problem" Means a set of facts published by the institution for moot court competition.
19. "Rebuttals" Refer to those arguments /questions that the Petitioner may raise at the end of the main pleadings of all the Respondent.
20. "Sub-Rebuttals" Refers to the defence presented by the Respondent to the rebuttals.
21. "Court Room" Shall refer to the courtrooms where the oral rounds will take place.
22. 'Scouting" Means a person observing the Oral Rounds of a team other than the team which is associated with the participating team.
23. "Team Code" Refers to the code allocated to a participating institution by the organising committee after completion of the Registration.

IMPORTANT DATES

Last date of Registration

01-07-2024

Last date for seeking Clarifications (if any)

03-07-2024

Last date for submission of memorials [soft copy]

13-07-2024

Last date for submission of memorials [hard copies via post]

13-07-2024

Preliminary Rounds [Online mode]

24-25 July 2024

Main Rounds [Offline mode]

30-31 August 2024

Inaugural Ceremony and Orientation

29-08-2024

Researchers' Test & Memorial exchange

29-08-2024

Octafinal Rounds

30-08-2024

Quarterfinal Rounds

30-08-2024

Semi-final Rounds

31-08-2024

Final Round

31-08-2024

Valedictory Ceremony

31-08-2024

ROUNDS

STRUCTURE OF ROUNDS:

- Every round except the Preliminary round is a knockout round.

ORAL PLEADINGS:

1. Any form of scouting during the competition is strictly prohibited and shall entail instant disqualification of the team.
2. A “Round” shall mean the Oral arguments advanced by both teams.
3. The proceedings and method of presentation of oral arguments shall be, to the extent possible, in alignment with the procedure adopted by the Supreme Court.
4. In case any team fails to appear in an oral round, the round shall be conducted ex-parte and the scoring shall be done as if the defaulter team had been present and arguing.
5. Before the start of the oral rounds, each team shall inform the Court Officer regarding the order of speaking as well as the allocation of time between themselves and the time reserved for Rebuttals.

ONLINE ROUNDS

PRELIMINARY ROUNDS:

1. Oral rounds for each team will be provided a period of 25 minutes (including Rebuttals), wherein each speaker of a team will be allowed to argue for up to 10 minutes. No team shall reserve more than 5 minutes for Rebuttals.
2. Each oral round will be for a maximum duration of 50 minutes.
3. Any extension of time beyond this specified period is subject to the deduction of marks as the Judges may deem fit.
4. However, the time limit for each round in preliminary shall be 25 minutes for Team 1 and 25 minutes for Team 2 Team members can pass research materials to the speaker in a discreet manner. Oral arguments shall confine to the written memorials.
5. During the oral rounds, Speakers at the podium and participants seated at the counsel table shall not operate, for any purpose, Mobile Phones, Laptop Computers, iPad, or any other computer or electronic devices which are internet enabled or have instant messaging enabled through any means.
6. The compendium can be submitted to the Court Officer prior to the oral rounds which will be submitted to the judges at their discretion.

OFFLINE ROUNDS

OCTAFINALS:

1. The Octa-Final round follows with the 16 teams selected in the Preliminary Round.
2. Each oral round will be for a period of 50 minutes.
3. Each team will be given a maximum time period of 25 minutes for oral submissions.
4. No team shall extend their submissions beyond the prescribed limit subject to the discretion of the judges.

QUARTERFINALS:

1. The quarter-final round follows with the 8 teams selected in the Octa-finals round.
2. Each oral round will be for a period of 60 minutes.
3. Each team will be given a maximum time period of 30 minutes for oral submissions.
4. No team shall extend their submissions beyond the prescribed limit subject to the discretion of the judges.

SEMI FINALS:

1. Each oral round will be for a period of 80 minutes, (including Rebuttals), wherein each Team will be allowed 40 minutes.
2. Any extension of time beyond this specified period is subject to the deduction of marks as the Judge may deem fit.
3. No Team shall reserve more than 5 minutes for Rebuttals.

FINALS:

1. Each oral round will be for a period of 80 minutes, (including Rebuttals), wherein each Team will be allowed 40 minutes. Any extension of time beyond this specified period is subject to the deduction of marks as the Judge may deem fit.
2. No Team shall reserve more than 5 minutes for Rebuttals.

EVALUATION OF MEMORIALS

Memorials will be evaluated by the Judges at that time of Oral arguments itself for a total of Hundred marks giving due regard to the following criteria:

S. NO.	BASIS OF EVALUATION	MARKS
1	Presentation of facts	5
2	Ingenuity and Logical Reasoning	20
3	Interpretation of Law	20
4	Extent and use of Authority	20
5	Relief Sought	10
6	Format and Citation	15
7	Quality of Language	5
8	Adherence to the Guidelines	5
9	Total Marks	100

EVALUATION OF ORAL ARGUMENTS

S.NO	BASIS OF EVALUATION	MARKS
1	SYNOPSIS AND PRESENTATION OF FACTS	5
2	IDENTIFICATION AND ARTICULATION OF LEGAL ISSUES	5
3	ORIGINALITY IN PRESENTATION AND APPLICATION OF LAW	20
4	DEPTH OF RESEARCH	5
5	CITATION OF CASES	5
6	RESPONSE TO QUESTIONS POSED AND COURT MANNERS	10
7	TOTAL	50

MISCELLANEOUS:

- The Moot Court Society reserves the right to modify any of the Competition Rules at any point in time.
- The Moot Court Society shall communicate any changes made in the Competition Rules to the Teams.

INTERPRETATION OF RULES:

- All interpretations of all the rules and information given for this competition are at the complete discretion of the organising Society and College of Law. The decision so made shall be final and binding on all participating teams.
- The Moot Court Society reserves the right to take decisions on any matter not mentioned in the Competition Rules.
- Any such decision taken by the Moot Court Society shall be final and binding.

SCOUTING:

- The teams will not be allowed to observe the orals of any other teams. Scouting is strictly prohibited. Scouting by any of the team's members will result in disqualification.

PRIZES FOR MOOT COMPETITION



I. WINNING TEAM - Rs. 25,000/-

II. RUNNERS UP - Rs. 15,000/-

III. BEST MEMORIAL - Rs. 5,000/-

IV. BEST STUDENT ADVOCATE - Rs. 5,000/-

V. BEST RESEARCHER - Rs. 5,000/-



Certificates of Participation shall be provided to all the participants

REGISTRATION

- The preliminary registration must be completed by 01-07-2024 with the required fees.
- The registration shall be done by filling up the registration form through the link/QR given below.
- The registration shall be considered complete only when the 'Registration Fee' has been paid fully and the registration form is duly filled with all the credentials.
- The participants will receive an official approval mail from the organising committee carrying the 'Team Code' latest by 07-07-2024 or earlier. The teams shall quote this team code in all further communications with the organising committee.
- The Moot memorial is to be submitted by 13-07-2024 through the link/QR given below.
- Accommodation and food shall be provided to the outstation teams by the organisers from the evening of 29th August, 2024 to the morning of 31th of August 2024, upon payment of Rs. 1950 per day.
- The interested students are required to inform the organising Committee about the arrival of the team so as to enable them to make necessary arrangements. Under no circumstances the organisers shall provide accommodation to any other person accompanying the team.
- The team after reaching KLU must report at the college. After reporting as a team, the college will make necessary arrangements for the accommodation of the team.
- The registration fee for the competition is ₹2500/- (excluding food and lodging) and ₹1950/- for accommodation and food (per day per team). Registration fee once paid is non-refundable.

Registration link



<https://forms.gle/RU5ieMAE7NYLpVh46>

Memorial Submission link



<https://forms.gle/DLmgJjsMpG1N2KBH8>

MOOT PROPOSITION

- In the dynamic and culturally diverse nation of Indozia, where ancient customs intertwine with contemporary ambitions, a constitutional dilemma has arisen, captivating the legal landscape. Indozia is a country boasting a rich tapestry of cultural heritage and a burgeoning democracy. It stands as a beacon of pluralism and democratic principles. In this country, whose legal system and laws are akin to those of the Republic of India, a recent murder case has sent shockwaves throughout the nation, giving rise to a legal paradox of immense complexity. The case, which has garnered national attention, involves a series of perplexing circumstances that challenge the fundamental tenets of criminal law and evidentiary principles.
- Oliver Anderson, aged 45, is a successful businessman residing in Kyrazona, a State within Indozia. He shares a close friendship with Phil, aged 44, who is mute and deaf. Phil is an integral part of Oliver's life, involved in both the highs and lows of Oliver's journey. Anderson is widely regarded as a warm, considerate, and altruistic individual, displaying kindness not only towards his friends but also towards people in general. He is a person of integrity known for his unblemished conduct and extremely good character.
- Tymal, a resident of the same neighbourhood as Anderson and aged about 46 years, has been grappling with severe financial distress stemming from the loss of his decade-long savings in the stock market. He has been living off borrowed funds for many years and is in desperate need of financial resources to rebuild and renovate his dilapidated home. Tymal, married to Myraa, has two children who are in their early teenage. They are ambitious enough to pursue medical courses from reputed colleges and plan to apply in a matter of a year or two.
- Tymal's dire economic circumstances have taken a toll on his health, entering the twilight years of his life. He experienced two minor heart attacks in 2021 as a result of his financial losses and has been under medication since then.
- Myraa has been a pillar of support throughout this period of economic downturn, often encouraging Tymal to pursue better prospects. During one discussion about their financial strain, Tymal made a remark to Myraa, expressing his willingness to sacrifice himself for her future and happiness, stating, "I would rather perish so that you may thrive after me. I desire your utmost happiness, even if it comes at the expense of my mortal life." Before he could elaborate further, a tearful Myraa implored him to cease speaking, subsequently altering the course of their conversation.
- Recognising her husband's distressed state of mind, Myraa visited Oliver Anderson on May 16, 2022, to convey the grave and sombre situation. Unfortunately, Oliver was not present, and Myraa relayed the entire story to Phil, urging him to relay the message to Oliver.

- Since the start of 2022, Tymal had been tirelessly searching for avenues to generate quick earnings. With meagre savings in hand, he sought opportunities to invest in ventures that would maximise his profits. On May 30, 2022, he encountered Brandy, an insurance agent, who motivated him to consider investing in a plan that would benefit his wife after his passing away. Given his declining health, Brandy suggested Tymal to opt for a life insurance policy.
- Tymal began researching ways and methods of securing life insurance by planning deaths. He shared with Myraa that if someone is left with no option to thrive, having an insurance policy could provide a solution. He mentioned the possibility of faking an accident, such as drowning, so that people dependent on him would not suffer. Myraa was shocked by this disturbing thought. She tried to console him and suggested they consider borrowing money from their generous neighbour, Oliver. However, he couldn't gather the courage to express his financial need to Oliver immediately.
- On June 10, 2022, Oliver himself approached Tymal and offered financial assistance. He advanced a sum of IndoZian ₹15 lakh to Tymal, with the promise that he would repay the amount in instalments at his convenience. Oliver also assured him of further help if needed.
- Tymal continued to navigate through his difficult times and faced the challenge of collecting money to repay his debt to Oliver. On August 12, 2022, Phil learned that Tymal had suffered a cardiac arrest. Concerned, he visited him and discovered that Tymal's distress was attributed to substantial losses in gambling. Tymal had lost nearly ₹13 lakh in his pursuit of making quick money.
- Learning about Tymal's gambling losses infuriated Oliver. On August 21, 2022, he went to confront Tymal and angrily demanded the return of his money. Oliver shouted, "I need all my money back! I cannot trust a spendthrift like you. You are not only a loser but also inherently dishonest."
- The relationship between the two neighbours began to sour, and Oliver repeatedly demanded the return of his money. This situation took a toll on Tymal's family, especially his own mental health.
- On October 30, 2022, Oliver, accompanied by Phil, encountered Tymal on his way to meet his insurance agent. They pressured him to set a deadline for repaying the money, warning him of "consequences" if he failed to comply. The conversation escalated into a heated argument, which could have resulted in a physical altercation if not for the intervention of bystanders. Tymal, upon returning home, couldn't sleep the entire night and restlessly paced his bedroom, deeply disturbed by the altercation.

- A grim turn of events unfolded on October 31, 2022, when the police intercepted a car on a desolate road due to suspicious movement. The car was being driven by Oliver, with Phil as his companion. During the inspection, the police discovered a blood-splattered dead body of Tymal in the car's trunk. The duo was immediately arrested, and a revolver was seized from Oliver's possession. Their mobile phones were confiscated for forensic analysis. During questioning, Oliver claimed that he only intended to dispose of the body as he had gone to meet Tymal, but found him already shot.
- Upon reaching Tymal's home, the police made a shocking discovery. Myraa was found lying in a pool of blood in her room, holding a revolver in her hand. Although she was alive, she remained unconscious. She was promptly rushed to the hospital, where she remained in a comatose state.
- The arrested duo was charged with the murder of Tymal and the attempted murder of Myraa, along with other relevant provisions related to evidence tampering. Unfortunately, Myraa succumbed to her injuries on November 10, 2022, without ever regaining consciousness.
- The trial proceedings for the accused duo commenced, but the complex and intertwined factual matrix led to twists and turns in the case. They were charged and tried by the trial Court under sections 302, 307, 204, and 120B read with 34 of the Indo-zian Penal Code, 1860.
- Both accused individuals denied the charges before the trial court. Their statements made during police custody were somewhat contradictory. According to the police, Phil disclosed that they had left Anderson's house together, and an enraged Anderson expressed his intention to teach Tymal a lesson for wasting his money carelessly. Phil stated that during the entire episode, he merely stood guard outside Tymal's house and did not witness what transpired inside. As he was mute and deaf, he could not hear any noises or gunshots while he stood guard.
- On the other hand, Oliver denied murdering or firing a single shot from his revolver. He claimed that he routinely carried the loaded pistol for self-protection. According to his account, upon reaching Tymal's house, he found the door to Tymal's room wide open, with Tymal struggling on the ground and clutching his chest in pain. Tymal had already been shot and was bleeding profusely. Oliver asserted that he found Tymal collapsing and dying, and in order to avoid suspicion, especially if Myraa came across the scene, he decided to dispose of the body. He maintained that he was unaware of any other gunshots or Myraa's condition and did not enter any other room in the house.
- The initial autopsy conducted on Tymal's body concluded that the cause of death was excessive bleeding resulting from multiple gunshots. The ante-mortem report for Myraa indicated that the gunshot wound was fatal and could lead to death or permanent brain damage. Due to the deceased's heart condition parameters not being evaluated, Oliver requested the Court to conduct a second thorough autopsy to ascertain the possibility of cardiac issues factoring in his death. The second autopsy yielded startling revelations.

- The defence counsel attempted to present a novel version of events before the trial court. They argued that the deceased, Oliver, had conspired with his wife to stage a consensual homicide, aiming to claim the insurance amount. They further contended that Myraa, unable to bear the guilt of shooting her husband, went to another room and shot herself, resulting in suicide.
- Although Phil testified before the court, his testimony failed to establish Oliver's guilt to the Court's satisfaction. However, during the examination of the phone recovered from Phil, the police extracted an audio recording in which Oliver could be heard possibly saying to Phil, "I will not spare this blockhead. He thinks he can get away with my money. I will see him dead, come what may."
- The trial Court, based on "circumstantial evidence connected through an unbroken chain of events" and invoking section 306 of the Criminal Procedure Code, found Oliver guilty under sections 302, 304, 120-B, read with 34 of the Indoasian Penal Code. Phil was granted pardon, and the Court sentenced Oliver to life imprisonment, along with a fine of 50,000 Indoasian Rupees.
- Dissatisfied with the trial's proceedings, OliverAnderson filed a Special Leave Petition (SLP) before the Supreme Court [Anderson v. State of Kyrazona] on 2 January 2024, challenging the manner in which the trial was conducted. Oliver raised several grounds, including the fact that the testimony of an accomplice in his case relied on electronic evidence and that Phil was not examined using sign language after his confession before the Court.
- The Supreme Court admitted the petition, and the hearing of arguments on substantial questions of law is scheduled for July and August 2024.

Post-Mortem Report-I

Name of deceased: Tymal Lepcha

Age: 46

Date and time of death: October 31, 2022, 12:15 PM.

Summary of Findings:

The post-mortem examination was conducted on the body of Tymal Lepcha, a 46-year-old male, who succumbed to fatal injuries resulting from multiple gunshot wounds. The examination aimed to determine the cause and manner of death.

I. External Examination:

1. Gunshot Wounds:

- Wound 1: A gunshot wound was observed on the right shoulder. The entry wound measured approximately 9 mm, with evidence of blackening and tattooing around the margins. Exit wound was approximately 9 mm.
- Wound 2: Two gunshot wounds were observed on the lower extremities. The entry wounds were located on the left thigh and right calf, measuring approximately 9 mm. No exit wounds were noted.

2. Profuse Bleeding:

- The body exhibited signs of significant bleeding from all gunshot wounds, indicating severe damage to major blood vessels and organs.

II. Internal Examination:

1. Cardiovascular System:

- Blood Vessels: Examination revealed severe lacerations and tearing of major blood vessels, including the subclavian artery and femoral artery, in proximity to the gunshot wounds.
- Heart: No significant injuries or abnormalities observed.

2. Musculoskeletal System:

- Bones: No fractures or injuries to the skeletal structures surrounding the gunshot wounds were noted. There were some parallel bruises on the lower part of his neck and upper chest which might be from an assailant's nails.

3. Other Organ Systems:

- Respiratory System: Lungs appeared grossly normal, without any significant injuries.
- Gastrointestinal System: No evidence of injuries or abnormalities.
- Central Nervous System: No significant injuries or haemorrhage observed.

III. Cause of Death:

- Based on the post-mortem findings, the cause of death in this case is determined to be profuse bleeding resulting from the three gunshot wounds. The gunshot wounds caused severe damage to major blood vessels, leading to uncontrolled bleeding and subsequent hemodynamic instability.

IV. Manner of Death:

- The manner of death, in this case, is classified as homicide, as the injuries were inflicted by external factors.



Post-Mortem Report-II

Name of deceased: Tymal Lepcha

Age: 46

Date and time of death: October 31, 2022, 12:15 PM.

Summary of Findings:

The post-mortem examination was conducted on the body of Tymal Lepcha, a 46 year old male, whose death occurred under mysterious circumstances. The examination aimed to determine the cause and manner of death.

I. External Examination:

1. Two gunshot wounds with 8 mm entry points in both and 7.5 mm exit points in both. One gunshot has entry point on the front part of the shoulder and exit point on the back. Other gunshot has entry point on the right calf. No other evidence of external injuries, trauma, or signs of struggle observed.
2. Lividity observed on the dependent parts of the body.
3. Rigor mortis present in the major muscle groups, indicating the estimated time of death to be approximately 12:15 PM.

II. Internal Examination:

1. Cardiovascular System:

- Heart: Significant findings were noted within the cardiovascular system. The heart exhibited significant atherosclerotic changes, including coronary artery stenosis and calcification.
- Coronary Arteries: Multiple coronary arteries showed extensive plaque formation, with a significant narrowing of the left anterior descending artery.
- Myocardium: Microscopic examination revealed areas of myocardial fibrosis and hypertrophy, indicating a pre-existing cardiovascular condition.
- No evidence of recent acute myocardial infarction, contusion, or rupture observed.

2. Other Organ Systems:

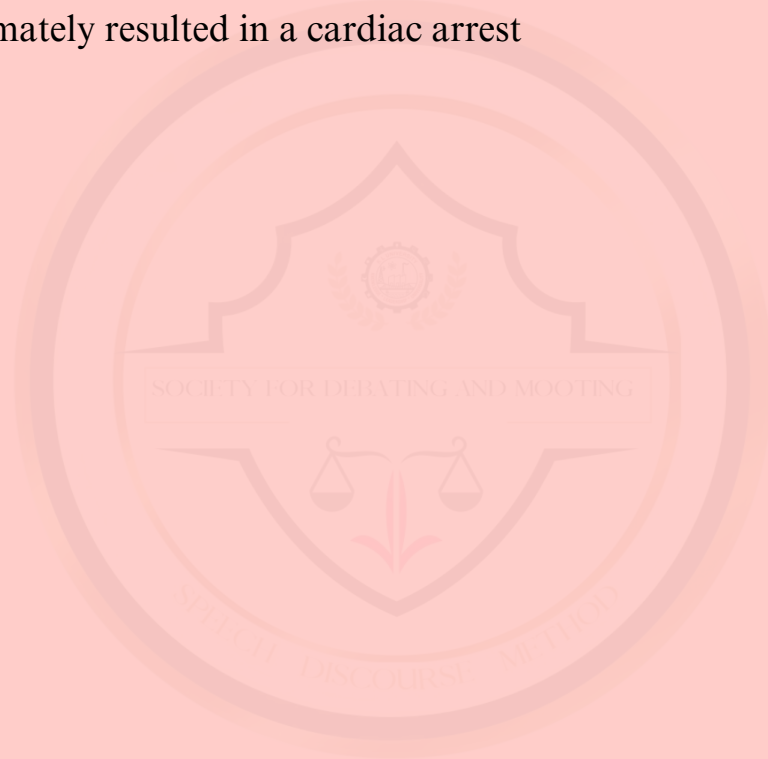
- Respiratory System: Lungs appeared grossly normal, without any notable abnormalities.
- Gastrointestinal System: No significant abnormalities observed.
- Central Nervous System: No evidence of trauma, haemorrhage, or other abnormalities noted.
- Other major organ systems did not exhibit any significant findings.

III. Cause of Death:

- Based on the post-mortem findings and medical history, the cause of death in this case is determined to be a cardiac arrest caused by a heart attack. It is highly likely that the bullets were shot after the body had completely its life and pulse. The extensive atherosclerotic changes, coronary artery stenosis, and pre-existing cardiovascular conditions were contributory factors leading to the fatal event.

IV. Manner of Death:

- The manner of death, in this case, is classified as natural due to the underlying medical conditions that ultimately resulted in a cardiac arrest



Forensic Report

I. Case: Anderson v. State of Kyrazona

Date: November 2, 2022.

II. Examination Details:

Item: Revolver

Case Number: CC/203/2022.

Exhibit Number: 4.

Recovery Location: Myra's House.

Recovery Date: October 31, 2022.

Examiner: John Lewis.

Forensic Laboratory: State Forensic Science Laboratory, Kyrazona.

III. Summary of Findings:

- The following is a forensic analysis report of the revolver recovered from the hand of the deceased, Myraa, in the context of the ongoing investigation into her death.

IV. Description of the Revolver:

- The examined revolver is a Smith & Wesson Model 686, a medium size revolver which is length of 9.56 inch and weight of 650 grams, bearing the manufacturer's serial number KB8955 and model number 686. It is a 686-model chambered for 357 MAGNUM ammunition.

V. Examination Process:

- The revolver was received in a sealed condition and underwent a thorough forensic examination. The examination was conducted in accordance with established protocols and standard operating procedures.

VI. Observations:

1. Fingerprints: Upon visual examination, fingerprint impressions were observed on the revolver's grip. The fingerprints appeared to be in relatively good condition and suitable for further analysis. These fingerprints were subsequently lifted and processed for identification.
2. Left Fingerprints: The fingerprint impressions recovered from the grip of the revolver matched the left fingerprints of the deceased, Myraa. The ridge characteristics and overall pattern were compared and found to be consistent, confirming the presence of Myraa's fingerprints on the weapon. There were some other fingerprints different from Myraa's but they were neither too prominent nor too pervasive.
3. Unidentifiable Prints: In addition to Myraa's fingerprints, several other latent fingerprints were detected on the revolver's grip. However, despite employing various enhancement techniques and conducting a comprehensive database search, these prints could not be conclusively identified or associated with any known individual.

VII. Conclusion:

Based on the forensic analysis of the revolver recovered from the hand of the deceased, Myraa, the following conclusions have been drawn:

1. The left fingerprints found on the revolver's grip are consistent with the fingerprints of the deceased, Myraa. These prints indicate that Myraa had direct contact with the weapon.
2. The presence of unidentifiable fingerprints on the grip suggests that individuals other than the deceased may have handled the revolver at some point. However, due to the inability to identify these prints, their significance in relation to the case remains inconclusive at this stage.

It should be noted that fingerprint analysis alone cannot establish the circumstances or motive behind the deceased's possession of the weapon. The findings of this report should be considered in conjunction with other evidence and investigative findings to form a comprehensive understanding of the case. This report is prepared solely based on the examination of the submitted evidence and does not comment on the guilt or innocence of any individual involved in the case.

John Lewis

Forensic Pathologist

State Forensic Science Laboratory, Kyrazona.

November 4, 2022.

Note: The participating teams are required to frame issues (not more than four) on their own based on the facts given in the moot proposition. All other issues which, in the opinion of the participants, are seemingly pertinent and relevant must be included in the sub-issues. The teams are disallowed from raising the issue of maintainability of the petition.

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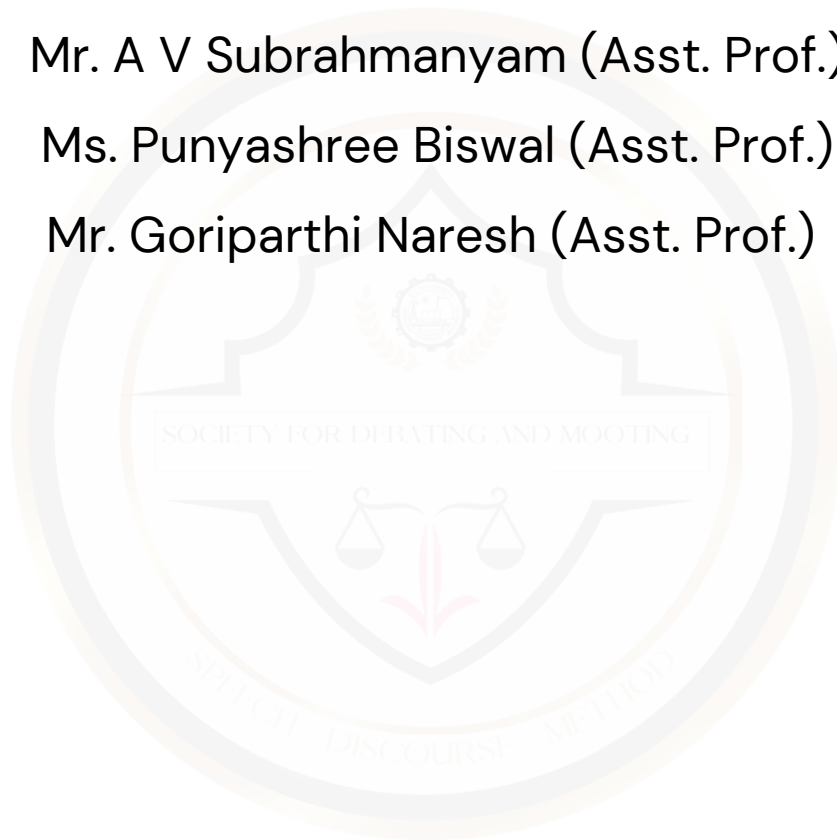
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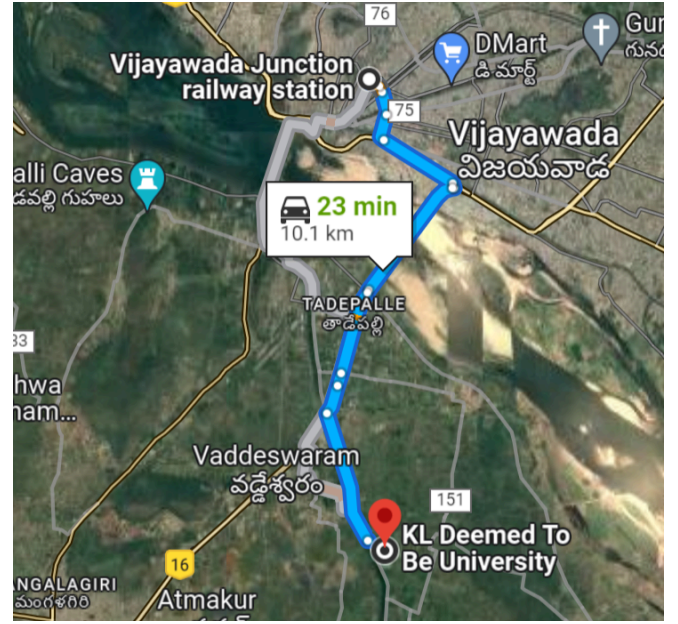
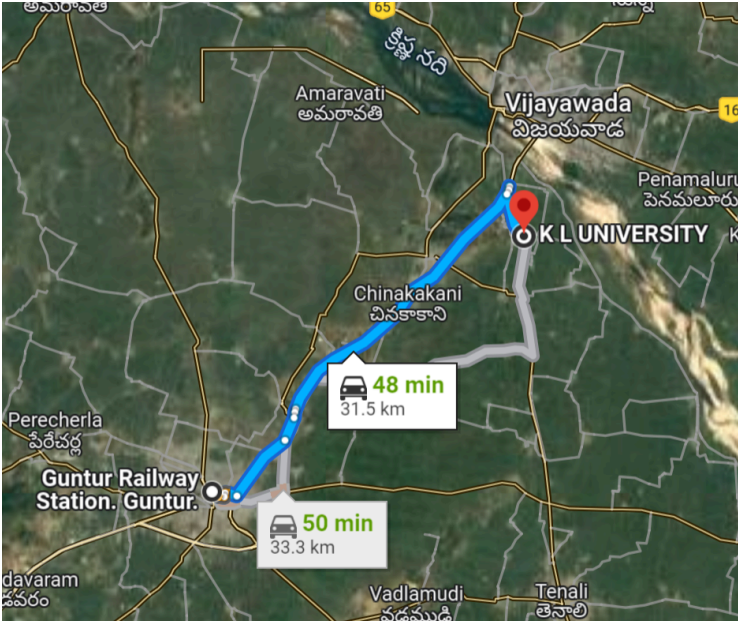
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ANY QUERIES ABOUT THE COMPETITION MAY BE SOUGHT FROM THE
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