

Intention or may not amount to murder) 7.



Intention a) With the intention of causing death; b) With the intention of causing such bodily injury as is likely to cause death Knowledge c) With the knowledge that he is likely to cause death 2. Culpable homicide is the genus and generic term. 3.

There is intention, but the intention may or may not exist. Even if exists it is not so much stronger as is evident in murder. 4. Intention to kill can be the number and nature of wounds or injuries on the body of the deceased, for example, if one dies with beatings received twice with fists on head, it is a culpable homicide. 5.

Less serious when compared with murder. 6. Every culpable homicide is not murder (it may or may not amount to murder) 7. Culpable homicide is not murder if the case falls within any of the exceptions mentioned in Section 300. Exception 1: Culpable homicide is not murder if the offender, whilst deprived of the power of self-control by grave and sudden provocation, causes the death of the person who gave the provocation or cause the death of any other person in mistake or accident.

Exception 2: Culpable homicide is not murder if the offender, in the exercise in good faith of the right of private defence of person or property exceeds the powers given to him by law and causes of the death of the person against whom he is exceeding such right of defence without premeditation, and without any intention of doing more harm than is necessary for the purpose of such defence. Exception 3: Culpable homicide is not murder if the offender, being a public servant or aiding a public servant acting for the advancement of public justice, exceeds the powers given to him by law, and

causes death by doing an act which he, in good faith, believes to be lawful and necessary for the due discharge of his duty as such public servant and without ill will towards the person whose death is caused. Exception 4: Culpable homicide is not murder if it is committed without premeditation in a sudden fight in the heat of passion upon a sudden quarrel and without the offenders having taken undue advantage or acted in a cruel or unusual manner.

Exception 5: Culpable homicide is not murder when the person whose death is caused being above the age of eighteen years, suffers death or takes the risk of death with his own consent. 8. Punishment is lesser than murder. The maximum punishment for culpable homicide is imprisonment for life (under Sec.

304) or imprisonment of either description for a term which may extend to ten years and shall also be liable to fine (Sec. 304). Murder (S. 300) 1. Subject to certain exceptions, culpable homicide is murder, if the act by which death is caused is done: 1) With the intention of causing death; 2) With the intention of causing such bodily injury as the offender knows to be likely to cause the death of the person to whom the harm is caused 3) With the intention of causing bodily injury to any person, and the bodily injury intended to be inflicted is sufficient in the ordinary course of nature to cause death; 4) With the knowledge that the act is so imminently dangerous that it must in all probability cause death, or such bodily injury as is likely to cause death and without any excuse for incurring the risk of causing death or such injury as is mentioned above.

2. Murder is a species. 3. There is strong intention to kill this person (victim).

Generally there shall be a plan to kill. 4. The wounding is a serious one through by stabbing with knife several times, it amounts to murder.

5. More serious than culpable homicide. It is an aggravated form of culpable homicide. 6. Every murder is primarily a culpable homicide.

On fulfilling certain conditions, culpable homicide amounts to murder. 7.

According to Section 300, except in the cases hereinafter excepted, culpable homicide is murder. [Note: See the five exceptions of the opposite column]

8.

Punishment is heavier than culpable homicide. The punishment for murder is death or imprisonment for life and shall also be liable to fine (Sec. 302)