AILET

Brief Introduction to The Law of Torts on Negligence and Malicious Prosecution

Aditya Anand · 19 Aug 2020

Brief Introduction to The Law of Torts on Negligence and Malicious Prosecution

.docxpressoPlugin { font-size: 83.35%; } .h5p_layout { box-sizing: content-box !important; } .h5p_layout *{ float: none; text-align: initial; box-sizing: border-box; } /*to make sure that floating elements are always inside the document bounds*/ .h5p_layout:after { content: " "; display: block; height: 0; clear: both; visibility: hidden; } /* a default layout for documents without maste styles */ .h5p_default_layout { margin-top: 3.6rem; margin-left: 8.50464rem; margin-bottom: 3.6rem; margin-right: 8.50464rem; writing-mode: lr-tb; } /*hack for IE */ wbr:after { content: "\00200B"; } /*hack to get some extra top margin for anchors if needed*/ .h5p_layout span[id^="_Toc"]{ padding-top: 10px; margin-top: -10px; } /* Remove unwanted numbering styles */ .h5p_layout .removeNumbering:before{ content: initial !important; display: none; all: initial !important; } /* give zero default top and bottom paddings for paragraphs*/ .h5p_layout p { color: #000000; line-height: 1; margin-top: 0; margin-bottom: 0; } .h5p_layout span { color: #000000; font-weight: normal; } .h5p_layout span.dropcap { color: inherit; font-family: inherit !important; } .h5p_layout h1, .h5p_layout h2, .h5p_layout h3, .h5p_layout h4, .h5p_layout h5, .h5p_layout h6 { margin-top: 0; margin-bottom: 0; font-family: inherit; font-weight: 500; line-height: 1; color: inherit; } /* give zero default top and bottom paddings for paragraphs in tables*/ .h5p_layout table p { margin-top: 0; margin-bottom: 0; } .h5p_layout ul, .h5p_layout ol { list-style-type: none; margin-top: 0; margin-bottom: 0.5em; padding-left: 0; } .h5p_layout ul li, .h5p_layout ol li { list-style-type: none; margin-top: 0; margin-bottom: 0.5em; } .h5p_layout li p { margin-top: 0; margin-bottom: 0; } .h5p_layout table { border: none; } .h5p_layout td { vertical-align: top; border: none; } .h5p_layout th { vertical-align: top; border: none; } .h5p_layout div { margin-bottom: 10pt; } .h5p_layout img { margin: 0; padding: 0; } .h5p_layout ul ul { margin-top: 0; margin-bottom: 0; } .h5p_layout li { margin-top: 0; margin-bottom: 0; list-style-type: none !important; } .h5p_layout ul, .h5p_layout ol { list-style-type: none !important; } .h5p_layout td[data-sorting] p:before, .h5p_layout th[data-sorting] p:before { content: ' '; padding-right: 16px; background: url(

background-position: left center; background-repeat: no-repeat; } .sortDecorator { border-bottom: 3px solid #b70000 !important; } /* This is a spacial class designed to remove unwanted bullets when a li has ul as its first child*/ .h5p_layout .removeBullet:before { content: none !important; } /*responsive tables*/ .h5p_layout div.dxoResponsiveTable{ margin: 0 !important; padding: 0 !important; overflow-x: auto !important; overflow-y: hidden; } /* chart tooltips */ .c3-tooltip-container td.name { white-space: nowrap; } /* External services*/ .h5p_layout iframe { resize: vertical; border: 1px solid #fff; } .h5p_layout div.youtube { position:relative; padding-bottom:56.25%; height:0; overflow:hidden; background-color: transparent; } .h5p_layout div.youtube iframe { resize: none; position:absolute; top:0; left:0; width:100%; height:100%; } div#h5p_6a7c0978e59af ul.LFO1 {counter-reset: ulLFO1_1;margin-left: 0;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO1 ul {counter-reset: ulLFO1_2;margin-left: -0.25in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO1 li {text-indent: -0.25in;margin-left: 36pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO1 li:before {counter-increment: ulLFO1_1;content: counter(ulLFO1_1, upper-latin) "> ";margin-left: -0.25in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO1 ul ul {counter-reset: ulLFO1_3;margin-left: -0.75in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO1 li ul li {text-indent: -0.25in;margin-left: 72pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO1 li ul li:before {counter-increment: ulLFO1_2;content: counter(ulLFO1_2, lower-latin) ". ";margin-left: -0.25in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO1 ul ul ul {counter-reset: ulLFO1_4;margin-left: -1.375in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO1 li ul li ul li {text-indent: -0.125in;margin-left: 108pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO1 li ul li ul li:before {counter-increment: ulLFO1_3;content: counter(ulLFO1_3, lower-roman) ". ";margin-left: -0.125in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO1 ul ul ul ul {counter-reset: ulLFO1_5;margin-left: -1.75in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO1 li ul li ul li ul li {text-indent: -0.25in;margin-left: 144pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO1 li ul li ul li ul li:before {counter-increment: ulLFO1_4;content: counter(ulLFO1_4, decimal) ". ";margin-left: -0.25in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO1 ul ul ul ul ul {counter-reset: ulLFO1_6;margin-left: -2.25in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO1 li ul li ul li ul li ul li {text-indent: -0.25in;margin-left: 180pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO1 li ul li ul li ul li ul li:before {counter-increment: ulLFO1_5;content: counter(ulLFO1_5, lower-latin) ". ";margin-left: -0.25in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO1 ul ul ul

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div#h5p_6a7c0978e59af ul.LFO3 li:before {counter-increment: ulLFO3_1;content: counter(ulLFO3_1, decimal) ". ";margin-left: -0.25in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO3 ul ul {counter-reset: ulLFO3_3;margin-left: -0.75in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO3 li ul li {text-indent: -0.25in;margin-left: 72pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO3 li ul li:before {counter-increment: ulLFO3_2;content: counter(ulLFO3_2, lower-latin) ". ";margin-left: -0.25in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO3 ul ul ul {counter-reset: ulLFO3_4;margin-left: -1.375in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO3 li ul li ul li {text-indent: -0.125in;margin-left: 108pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO3 li ul li ul li:before {counter-increment: ulLFO3_3;content: counter(ulLFO3_3, lower-roman) ". ";margin-left: -0.125in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO3 ul ul ul ul {counter-reset: ulLFO3_5;margin-left: -1.75in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO3 li ul li ul li ul li {text-indent: -0.25in;margin-left: 144pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO3 li ul li ul li ul li:before {counter-increment: ulLFO3_4;content: counter(ulLFO3_4, decimal) ". ";margin-left: -0.25in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO3 ul ul ul ul ul {counter-reset: ulLFO3_6;margin-left: -2.25in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO3 li ul li ul li ul li ul li {text-indent: -0.25in;margin-left: 180pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO3 li ul li ul li ul li ul li:before {counter-increment: ulLFO3_5;content: counter(ulLFO3_5, lower-latin) ". ";margin-left: -0.25in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO3 ul ul ul ul ul ul {counter-reset: ulLFO3_7;margin-left: -2.875in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO3 li ul li ul li ul li ul li ul li ul li {text-indent: -0.125in;margin-left: 216pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO3 li ul li ul li ul li ul li ul li ul li:before {counter-increment: ulLFO3_6;content: counter(ulLFO3_6, lower-roman) ". ";margin-left: -0.125in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO3 ul ul ul ul ul ul ul {counter-reset: ulLFO3_8;margin-left: -3.25in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO3 li ul li ul li ul li ul li ul li ul li ul li {text-indent: -0.25in;margin-left: 252pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO3 li ul li ul li ul li ul li ul li ul li ul li:before {counter-increment: ulLFO3_7;content: counter(ulLFO3_7, decimal) ". ";margin-left: -0.25in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO3 ul ul ul ul ul ul ul ul {counter-reset: ulLFO3_9;margin-left: -3.75in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO3 li ul li ul li ul li ul li ul li ul li ul li ul li {text-indent: -0.25in;margin-left: 288pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO3 li ul li ul li ul li ul li ul li ul li ul li ul

li:before {counter-increment: ulLFO3_8;content: counter(ulLFO3_8, lower-latin) ". ";margin-left: -0.25in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO3 ul ul ul ul ul ul ul ul {counter-reset: ulLFO3_10;margin-left: -4.375in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO3 li ul li ul li ul li ul li ul li ul li ul li ul li {text-indent: -0.125in;margin-left: 324pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO3 li ul li ul li ul li ul li ul li ul li ul li ul li:before {counter-increment: ulLFO3_9;content: counter(ulLFO3_9, lower-roman) ". ";margin-left: -0.125in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO4 {counter-reset: ulLFO4_1;margin-left: 0;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO4 ul {counter-reset: ulLFO4_2;margin-left: -0.25in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO4 li {text-indent: -0.25in;margin-left: 36pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO4 li:before {counter-increment: ulLFO4_1;content: counter(ulLFO4_1, upper-latin) ". ";margin-left: -0.25in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO4 ul ul {counter-reset: ulLFO4_3;margin-left: -0.75in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO4 li ul li {text-indent: -0.25in;margin-left: 72pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO4 li ul li:before {counter-increment: ulLFO4_2;content: counter(ulLFO4_2, lower-latin) ". ";margin-left: -0.25in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO4 ul ul ul {counter-reset: ulLFO4_4;margin-left: -1.375in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO4 li ul li ul li {text-indent: -0.125in;margin-left: 108pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO4 li ul li ul li:before {counter-increment: ulLFO4_3;content: counter(ulLFO4_3, lower-roman) ". ";margin-left: -0.125in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO4 ul ul ul ul {counter-reset: ulLFO4_5;margin-left: -1.75in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO4 li ul li ul li ul li {text-indent: -0.25in;margin-left: 144pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO4 li ul li ul li ul li:before {counter-increment: ulLFO4_4;content: counter(ulLFO4_4, decimal) ". ";margin-left: -0.25in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO4 ul ul ul ul ul {counter-reset: ulLFO4_6;margin-left: -2.25in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO4 li ul li ul li ul li ul li {text-indent: -0.25in;margin-left: 180pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO4 li ul li ul li ul li ul li:before {counter-increment: ulLFO4_5;content: counter(ulLFO4_5, lower-latin) ". ";margin-left: -0.25in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO4 ul ul ul ul ul ul {counter-reset: ulLFO4_7;margin-left: -2.875in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO4 li ul li ul li ul li ul li ul li ul li {text-indent: -0.125in;margin-left: 216pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO4 li ul li ul li ul li ul li ul li:before

{counter-increment: ulLFO4_6;content: counter(ulLFO4_6, lower-roman) ". ";margin-left: -0.125in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO4 ul ul ul ul ul ul ul {counter-reset: ulLFO4_8;margin-left: -3.25in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO4 li ul li ul li ul li ul li ul li ul li {text-indent: -0.25in;margin-left: 252pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO4 li ul li ul li ul li ul li ul li ul li:before {counter-increment: ulLFO4_7;content: counter(ulLFO4_7, decimal) ". ";margin-left: -0.25in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO4 ul ul ul ul ul ul ul ul {counter-reset: ulLFO4_9;margin-left: -3.75in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO4 li ul li ul li ul li ul li ul li ul li ul li {text-indent: -0.25in;margin-left: 288pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO4 li ul li ul li ul li ul li ul li ul li ul li:before {counter-increment: ulLFO4_8;content: counter(ulLFO4_8, lower-latin) ". ";margin-left: -0.25in;display: table-cell;} div#h5p_6a7c0978e59af ul.LFO4 ul ul ul ul ul ul ul ul ul {counter-reset: ulLFO4_10;margin-left: -4.375in;padding: 0; list-style-type: none;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO4 li ul li ul li ul li ul li ul li ul li ul li ul li {text-indent: -0.125in;margin-left: 324pt;font-size: 11pt;} div#h5p_6a7c0978e59af ul.LFO4 li ul li ul li ul li ul li ul li ul li ul li ul li:before {counter-increment: ulLFO4_9;content: counter(ulLFO4_9, lower-roman) ". ";margin-left: -0.125in;display: table-cell;} div#h5p_6a7c0978e59af p.P1 {border-top: none !important;border-left: none !important;border-bottom: 0.0138in solid #5B9BD5 !important;border-right: none !important;padding-top: 0in !important;padding-left: 0in !important;padding-bottom: 0.0555in !important;padding-right: 0in !important;margin-bottom: 0.2083in !important;line-height: 1 !important;break-before: page !important;text-align: center !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P1 span {hyphenate: false;font-family: Calibri Light;color: #323E4F;letter-spacing: 0.0034in;font-size: 26pt;hyphenate: false;font-weight: bold;} div#h5p_6a7c0978e59af p.P2 {font-size: 11pt;} div#h5p_6a7c0978e59af p.P2 span {hyphenate: false;font-family: Times New Roman;font-weight: bold;font-size: 12pt;text-decoration: single;text-decoration: underline;text-decoration-style: solid;} div#h5p_6a7c0978e59af p.P3 {text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P3 span {hyphenate: false;font-family: Times New Roman;font-size: 12pt;} div#h5p_6a7c0978e59af p.P4 {text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P4 span {hyphenate: false;font-family: Times New Roman;font-weight: bold;font-size: 12pt;text-decoration: single;text-decoration: underline;text-decoration-style: solid;} div#h5p_6a7c0978e59af p.P5 {text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P5 span {hyphenate: false;font-family: Times New Roman;font-

size: 12pt;} div#h5p_6a7c0978e59af p.P6 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P6 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-weight: bold;font-size: 12pt;} div#h5p_6a7c0978e59af p.P7 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P7 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-size: 12pt;} div#h5p_6a7c0978e59af p.P8 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P8 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-size: 12pt;} div#h5p_6a7c0978e59af p.P9 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P9 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-weight: bold;font-size: 12pt;} div#h5p_6a7c0978e59af p.P10 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P10 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-size: 12pt;} div#h5p_6a7c0978e59af p.P11 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P11 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-size: 12pt;} div#h5p_6a7c0978e59af p.P12 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P12 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-weight: bold;font-size: 12pt;} div#h5p_6a7c0978e59af p.P13 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P13 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-size: 12pt;} div#h5p_6a7c0978e59af p.P14 {text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P14 span {hyphenate: false;font-family: Times New Roman;font-weight: bold;font-size: 12pt;text-decoration: single;text-decoration: underline;text-decoration-style: solid;} div#h5p_6a7c0978e59af p.P15 {text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P15 span {hyphenate: false;font-family: Times New Roman;font-size: 12pt;} div#h5p_6a7c0978e59af p.P16 {text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P16 span {hyphenate: false;font-family: Times New Roman;font-weight: bold;font-size: 12pt;text-decoration: single;text-decoration: underline;text-decoration-style: solid;} div#h5p_6a7c0978e59af p.P17 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size:

11pt;} div#h5p_6a7c0978e59af p.P17 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-weight: bold;font-size: 12pt;} div#h5p_6a7c0978e59af p.P18 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P18 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-size: 12pt;} div#h5p_6a7c0978e59af p.P19 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P19 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-size: 12pt;} div#h5p_6a7c0978e59af p.P20 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P20 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-weight: bold;font-size: 12pt;} div#h5p_6a7c0978e59af p.P21 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P21 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-size: 12pt;} div#h5p_6a7c0978e59af p.P22 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P22 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-size: 12pt;} div#h5p_6a7c0978e59af p.P23 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P23 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-weight: bold;font-size: 12pt;} div#h5p_6a7c0978e59af p.P24 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P24 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-size: 12pt;} div#h5p_6a7c0978e59af p.P25 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P25 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-size: 12pt;} div#h5p_6a7c0978e59af p.P26 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P26 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-size: 12pt;} div#h5p_6a7c0978e59af p.P27 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P27 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-size: 12pt;} div#h5p_6a7c0978e59af p.P28 {text-align: center !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P28 span {hyphenate: false;font-family: Times New Roman;font-weight: bold;font-size: 12pt;text-decoration: single;text-decoration: underline;text-decoration-style: solid;} div#h5p_6a7c0978e59af p.P29

{line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P29 span {hyphenate: false;font-family: Times New Roman;font-weight: bold;font-size: 12pt;text-decoration: single;text-decoration: underline;text-decoration-style: solid;} div#h5p_6a7c0978e59af p.P30 {line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P30 span {hyphenate: false;font-family: Times New Roman;font-size: 12pt;} div#h5p_6a7c0978e59af p.P31 {line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P31 span {hyphenate: false;font-family: Times New Roman;font-weight: bold;font-size: 12pt;text-decoration: single;text-decoration: underline;text-decoration-style: solid;} div#h5p_6a7c0978e59af p.P32 {line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P32 span {hyphenate: false;font-family: Times New Roman;font-weight: bold;font-size: 12pt;text-decoration: single;text-decoration: underline;text-decoration-style: solid;} div#h5p_6a7c0978e59af p.P33 {margin-left: 0.5in !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P33 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-weight: bold;font-size: 12pt;} div#h5p_6a7c0978e59af p.P34 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P34 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-size: 12pt;} div#h5p_6a7c0978e59af p.P35 {margin-left: 0.5in !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P35 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-weight: bold;font-size: 12pt;} div#h5p_6a7c0978e59af p.P36 {margin-left: 0.5in !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P36 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-weight: bold;font-size: 12pt;} div#h5p_6a7c0978e59af p.P37 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P37 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-size: 12pt;} div#h5p_6a7c0978e59af p.P38 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P38 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-size: 12pt;} div#h5p_6a7c0978e59af p.P39 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P39 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-weight: bold;font-size: 12pt;} div#h5p_6a7c0978e59af p.P40 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P40 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-size: 12pt;} div#h5p_6a7c0978e59af p.P41 {margin-left: 0.5in !important;text-align:

justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.P41 span {hyphenate: false;hyphenate: false;font-family: Times New Roman;font-size: 12pt;} div#h5p_6a7c0978e59af p.P42 {margin-left: 0.5in !important;text-align: justify !important;line-height: 1.5 !important;font-size: 11pt;} div#h5p_6a7c0978e59af span.T43 {font-family: Times New Roman !important;font-size: 12pt !important;} div#h5p_6a7c0978e59af p.Normal {font-size: 11pt;} div#h5p_6a7c0978e59af p.Normal span {hyphenate: false;font-size: 11pt;} div#h5p_6a7c0978e59af span.DefaultParagraphFont {font-size: 11pt;} div#h5p_6a7c0978e59af p.ListParagraph {margin-left: 0.5in !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.ListParagraph span {hyphenate: false;hyphenate: false;font-size: 11pt;} div#h5p_6a7c0978e59af p.Title {border-top: none !important;border-left: none !important;border-bottom: 0.0138in solid #5B9BD5 !important;border-right: none !important;padding-top: 0in !important;padding-left: 0in !important;padding-bottom: 0.0555in !important;padding-right: 0in !important;margin-bottom: 0.2083in !important;line-height: 1 !important;font-size: 11pt;} div#h5p_6a7c0978e59af p.Title span {hyphenate: false;font-family: Calibri Light;color: #323E4F;letter-spacing: 0.0034in;font-size: 26pt;hyphenate: false;} div#h5p_6a7c0978e59af span.TitleChar {font-family: Calibri Light !important;color: #323E4F !important;letter-spacing: 0.0034in !important;font-size: 26pt !important;} div#h5p_6a7c0978e59af div {font-size: 11pt;} div#h5p_6a7c0978e59af p.P42 span {hyphenate: false;hyphenate: false;hyphenate: false;hyphenate: false;font-size: 11pt;} div#h5p_6a7c0978e59af table {margin-left: 0in;border-collapse: collapse;writing-mode: lr-tb;font-size: 11pt;} div#h5p_6a7c0978e59af table tr {height: 0in;keep-together: auto;font-size: 11pt;} div#h5p_6a7c0978e59af table td, table th {background-color: transparent;vertical-align: top;wrap-option: wrap;font-size: 11pt;} div#h5p_6a7c0978e59af p {keep-with-next: auto;keep-together: auto;widows: 2;orphans: 2;break-before: auto;border: none;text-align: left;writing-mode: lr-tb;margin-bottom: 0.1111in;line-height: 1.07;background-color: transparent;font-size: 11pt;} div#h5p_6a7c0978e59af p span {font-family: Calibri;font-weight: normal;font-style: normal;text-transform: none;font-variant: normal;text-shadow: none;letter-spacing: normal;font-size: 11pt;background-color: transparent;text-decoration: none;text-decoration-color: font-color;language: en;country: IN;hyphenate: true;}

Brief Introduction to The Law of Torts on Negligence and Malicious ProsecutionINTRODUCTIONAlthough negligence also means a mental element for various torts but Negligence is also a separate tort and actionable if all the essentials are fulfilled. Negligence refers to careless and unreasonable conduct that creates a risk causing damage to the other person. But mere unreasonable conduct is not actionable if no damage is

caused. This was recognised in the case of Donoghue v Stevenson.ESSENTIALSTo prove the tort of negligence, following three essentials must be fulfilled:**The defendant owed a duty of care to the plaintiff.**This refers to legal duty and not merely a duty which is moral, social or religious in nature. Such duty is also subject to the foreseeability of the injury to the plaintiff. Mere carelessness on the part of the defendant will not entitle the plaintiff to file a civil suit for negligence, if the defendant does not owe a duty of care to the plaintiff. If the defendant owes a duty to other persons and not plaintiff, but plaintiff still gets an injury as the consequence of defendant's negligence, he cannot sue the defendant. **The breach of duty.**Breach of duty means not taking due care which is required in a particular circumstance. Degree of duty varies with the degree of risk involved. The standard of such care is hat of a reasonable prudent man and if the defendant has done what a prudent man would have done, there is no negligence.**The damage suffered by plaintiff because of the breach of duty.**Mere existence of duty to care and breach of such duty will not result in a cause of action to file a suit for negligence to claim damages. There must be some kind of injury caused to the plaintiff, as a result of such breach. The injury could be physical or mental or any other kind.BURDEN OF PROOFIn the case of negligence, the burden of proof lies upon the plaintiff to prove that the defendant has breached the duty of care he owed to the plaintiff and that has resulted in the injury to plaintiff, thereby causing negligence. Once the plaintiff has discharged this duty and proved prima facie the negligence, the defendant can mow put forward his defence and prove otherwise. There is a presumption of negligence according to the maxim "res ipsa loquitor' which means thing speaks for itself but for this maxim to apply it is necessary that the accident couldn't have occurred but for defendant's negligence and such accident was within the control of the defendant.DEFENCES TO NEGLIGENCE

Contributory Negligence When the plaintiff fails in avoiding the consequence of the defendant's negligence and does not exercise the ordinary care and diligence to avoid the consequence, he cannot claim damages arising out of such negligence. This is called as contributory negligence by the plaintiff. When two persons are negligent, the one who had the last opportunity of avoiding the accident by exercising ordinary care, would be liable.Contributory negligence is different from composite negligence because in contributory negligence, the negligence on the part of plaintiff to avoid the consequence of the accident is taken into account whereas in composite negligence, the negligence of two or more persons results in the same damage and they are known as composite tortfeasors.

Act of God Also called as Vis Major, Act of God is the direct, violent, sudden and unavoidable act of nature that could have not been foreseen or avoided, provided there was no human

interference. But for this defence to apply, Act of God must be the immediate cause of the accident and not the remote cause. **Inevitable accident**Inevitable accident is a defence to the tort of Negligence. . An inevitable accident is said to be caused if it was not intentional and also could have not been avoided by exercise of ordinary care and caution. But it is mandatory that such ordinary care and caution should have been exercised. MALICIOUS PROSECUTIONINTRODUCTIONThe basis for this tort to be actionable is injury to the plaintiff's character, person or property. Malicious prosecution is basically instituting a criminal proceeding against another person without any reasonable or just cause. It is a common observation that whenever criminal charges are pressed against a person, it leads to the injury to his reputation in the society he lives in. ESSENTIALSTo prove a case of malicious prosecution, the following essentials must be proven by the plaintiff:**The plaintiff was prosecuted by defendant**The plaintiff must prove that the defendant has filed a case against him in the past and the case must be a criminal case before a judicial officer. Prosecution is said to be commenced after a person is summoned to answer a complaint. Mere act of giving information to the police will not imply that the defendant was the prosecutor. His active participation in the prosecution is necessary.**There is no probable or reasonable cause for the suit instituted by the defendant.**Any cause will be referred to as reasonable and probable cause if there is an honest belief in the guilt of the accused founded upon reasonable grounds arising out of the existence of circumstances and making it to be believed as true. If such probable and reasonable cause is not there, it will be a case of malicious prosecution. **The proceedings terminated in plaintiff's favour in the prosecution being referred to as malicious and caused damages to the defendant in that case.**The proceedings being referred as malicious must have terminated in favouring the person who filed such prosecution and as a result, the damage must have been caused to the defendant. The damage could be financial, physical, mental or social. Such malicious prosecution often results in the loss of reputation in the society. Always remember, the burden of proof to prove the tort of malicious prosecution lies on the person alleging it and once he has proved it, the defendant may put forward their defence to prove otherwise.(function($) { //footnotes $('.defaultNote').children(":first").css('cursor', 'pointer'); $('.defaultNote').children(":first").click(function(){ var gotoID = '#' + $(this).parent().attr('id'); $('html, body').animate({ scrollTop: $('a[href="' + gotoID + '"]').offset().top - 60, }, 250, 'linear') }); }(jQuery)); var numFormat = ",."; (function($) { "use strict"; //do some cleaning on load var sortCells = $('td[data-sorting], th[data-sorting]'); sortCells.each(function(){ var first = $(this).text().trim().charAt(0); if (first == '@'){ var oldHTML = $(this).html(); var newHTML =

oldHTML.replace('@', ''); $(this).html(newHTML); } }); function sortingTable(node, pos, ordBy){ var rows = node.children('tbody').children('tr').get(); rows.sort(function(a, b) { var X = $(a).children('td').eq(pos).text().toUpperCase(); var Y = $(b).children('td').eq(pos).text().toUpperCase(); if (numFormat != '.,'){ //we are dealing with a different locale and we need to do some //transformation in numbers X = convert2number(X); Y = convert2number(Y); } else { X = X.replace(/,/g, '').replace(/ /g, ''); Y = Y.replace(/,/g, '').replace(/ /g, ''); } var currencies = ['$', '¥', '£', '€']; var arrayLength = currencies.length; var XX = X; var YY = Y; for (var i = 0; i < arrayLength; i++) { XX = XX.replace(currencies[i], ''); YY = YY.replace(currencies[i], ''); } if (!isNaN(XX) && !isNaN(YY)){ var floatXX = parseFloat(XX); var floatYY = parseFloat(YY); return -(floatYY-floatXX) * ordBy; } else if (!isNaN(XX) && isNaN(YY)){ return -1 * ordBy; } else if (isNaN(XX) && !isNaN(YY)){ return ordBy; } else { if(X < Y) { return -1 * ordBy; } if(X > Y) { return 1 * ordBy; } return 0; } }); $.each(rows, function(index, row) { node.children('tbody').append(row); }); } function removeTableCellDecoration() { $("td[data-sorting], th[data-sorting]").removeClass('sortDecorator'); } //unbind the click event just in case we are loading more than one document $("td[data-sorting], th[data-sorting]").off('click'); $("td[data-sorting], th[data-sorting]").click(function(){ removeTableCellDecoration(); $(this).addClass('sortDecorator'); //get desired ordering var ordering = $(this).attr('data-sortOrdering'); if (ordering == 'ASC'){ var ordBy = -1; $(this).attr('data-sortOrdering', 'DESC'); } else { var ordBy = 1; $(this).attr('data-sortOrdering', 'ASC'); } var cellPosition = $(this).prevAll().length; var table = $(this).parents('table:first'); sortingTable(table, cellPosition, ordBy); }); function convert2number(str) { str = str.trim(); if (str.match(/^\d+/)) { //we have to take special care when the thousand separators are '.' var result_0 = str.replace(/\./g, '_@_'); var result_1 = result_0.replace(window.numFormat[0], '.'); var result = result_1.replace(/_@_/g, ''); result .replace(/ /g, ''); return result; } else { return str; } } }(jQuery));

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