

Chennai City Police Act, 1888

TAMILNADU

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Act 3 of 1888

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Chennai City Police Act, 1888(Tamil Nadu Act 3 of 1888)Statement of Objects and Reasons - Chennai City Police Act, 1888 (Tamil Nadu Act III of 1888). - For Statement of Objects and Reasons, please see Fort St. George Gazette Supplement, dated the 8th November 1887, page 17; for Report of the Select Committee, see *ibid*, dated the 31st January 1888, page 1; for Proceedings in Council, see *ibid*, dated the 29th November, 1887, page 2 and; *ibid*, dated the 27th March 1888, page 8.Statement of Objects and Reasons - Madras City Police (Amendment) Act, 1961 (Tamil Nadu Act 37 of 1961). - Section 41 of the Madras City Police Act, 1888 (Madras Act III of 1888). confers power on the Commissioner of Police to regulate processions in public places, etc. In a judgment reported in [1958] II MLJ 863 the High Court has observed that it is desirable that provision is made in section 41 byway of amendment incorporating a time limit of fifteen days for the prohibitory order under the said section as in the Bombay and T.C. Acts, instead of leaving it merely to convention. The High Court has also observed that any order under section 41 extending over fifteen days at a time will be held invalid. It is accordingly proposed to recast the section suitably.2. In the proposed new section, provision has been made for enabling the Commissioner to prohibit any assembly, meeting or procession if he considers such prohibition necessary for the preservation of the public peace or public safety. No such order shall remain in force for more than fifteen days without the sanction of the State Government. Persons who want to convene or collect any assembly or meeting in any public place or to direct or promote any procession should apply to the Commissioner for permission. The Commissioner may grant permission subject to such conditions as he may specify or refuse to grant permission. Except in cases of urgency, reasonable opportunity will be given to the persons concerned to show cause against any order refusing permission. The provisions of new section 41 will not apply to public meetings held under any statutory or other legal authority or to marriages, funerals or religious gatherings or to public meetings specifically exempted by the Government.3. Section 74 of the Madras City Police Act, 1888, stipulates a penalty, for lighting a bonfire, burning any straw or other matter, discharging fire-arms, etc., in or near any public place. In the City of Madras, it is found that effigies are being taken out which often result in wounding the feelings of sections of the public. It is proposed to amplify section 74 so as to penalize the dragging, burning, etc., of any effigy.4. In its judgment reported in [1956] 1 MLJ 220 on a Writ Petition for the issue of a Writ of Certiorari against the order of the Commissioner of Police suspending the licence

to keep a lodging house, which was being used for immoral purposes, the High Court, while dismissing the Writ Petition, observed that the language of the Madras City Police Act, 1888, and the conditions in the licence needed revision. It is now proposed to amend suitably section 76 of that Act vesting in the Commissioner of Police the power to cancel or suspend a licence granted under the Act. The Government have already revised the conditions of the licence for the use of eating houses, etc., so as to prevent the use of lodging houses for immoral purposes.⁵ The Bill is intended to give effect to the above proposals. Published in Part IV - Section 3, page 381 of the Tamil Nadu Government Gazette Extraordinary, dated the 6th September 1961. Statement of Objects and Reasons - Madras Prevention of Begging (Amendment) Act, 1964 (Tamil Nadu Act 40 of 1964). - The Madras Prevention of Begging Act, 1945 (Madras Act XIII of 1945) provides for the prevention of begging in the State except the City of Madras and sections 71-A to 71-L of the Madras City Police Act, 1838 (Madras Act III of 1888) provides for the prevention of begging in the City of Madras. The provisions of the Acts aforesaid are found to be not effective in eradicating the beggar nuisance. It is proposed to amend Madras Act XIII of 1945 with a view to tighten up its provisions. It is also proposed to make the Act as amended applicable to the City of Madras and to repeal sections 71-A to 71-L of the Madras City Police Act, 1888 (Madras Act III of 1888). The amendments proposed are explained in the Notes on clauses. Published in Part IV - Section 3, Pages 17-27 of the Tamil Nadu Government Gazette Extraordinary dated the 24th January 1964. Statement of Objects and Reasons - Tamil Nadu Horse Races (Abolition of Wagering or Betting) Act, 1974 (Tamil Nadu Act 44 of 1974). - Under the Madras City Police Act, 1888 (Tamil Nadu Act III of 1888) and the Tamil Nadu Gaming Act, 1930 (Tamil Nadu Act III of 1930), wagering or betting on horse races in the State of Tamil Nadu is permitted. But in 1949, the Legislature enacted the Madras City Police and Gaming (Amendment) Act, 1949 (Tamil Nadu Act VII of 1949) seeking to include within the definition of "gaming", the wagering or betting on horse races by reason of sections 2 and 4 of Tamil Nadu Act VII of 1949. But the bringing into force of these sections has been postponed from time to time. It has now been decided to abolish wagering or betting on horse races on and from the 31st March 1975. It is therefore proposed to bring into force the provisions of the said sections 2 and 4 on the 31st March 1975 so as to make wagering or betting on horse races punishable under the Madras City Police Act, 1888 and the Tamil Nadu Gaming Act, 1930. It is also proposed specifically to cancel the orders of the Government issued in G.O. Ms. No. 1570, Home, dated the 7th June 1973, directing the postponement of the operation of the said sections till the 30th June 1976. The bill seeks to achieve the above object. Published in Part IV - Section 1, page 266 of the Tamil Nadu Government Gazette Extraordinary, dated the 26th August 1974. Statement of Objects and Reasons - Madras City Police and Tamil Nadu Towns Nuisances (Amendment) Act, 1974 (Tamil Nadu Act 4 of 1975). - The use of sound amplifiers in the City of Madras is regulated by the provisions of section 41 and clause (xv) of section 7 of the Madras City Police Act, 1888 (Tamil Nadu Act III of 1888). In the districts, it is regulated by the provisions of clause (10) of section 3 of the Tamil Nadu Towns Nuisances Act, 1889 (Tamil Nadu Act III of 1889) or by the provisions in section 41 and in clause (xv) of section 71 of Tamil Nadu Act III of 1888 in areas where the provisions of the latter Act have been extended. In order to have effective control over the use of sound amplifiers in all areas in the State and to prevent any annoyance caused by Bound amplifiers, it is proposed to amend the Madras City Police Act, 1888 and the Tamil Nadu Towns Nuisances Act, 1889 providing for deterrent punishment and also for seizure and forfeiture of sound amplifiers used in contravention of any of the terms and conditions imposed for such user.² The Bill seeks to give effect to the above proposal. Published in

Part IV - Section 1, page 271 of the Tamil Nadu Government Gazette Extraordinary, dated the 6th November 1974. Statement of Objects and Reasons - Madras City Police (Amendment) Act, 1976 (Tamil Nadu Act 39 of 1976). - Sub-section (6) of section 41 of the Madras City Police Act, 1888 (Tamil Nadu Act III of 1888) provides for the imposition of a fine not exceeding one hundred rupees - (i) for the contravention of an order under sub-section (1) of the said section; or (ii) for the contravention of the conditions of a licence granted under that sub-section; or (iii) for failure to give notice under sub-section (4A) of the said section; or (iv) when an order under sub-section (2) of the said section is in force, for convening or collecting any assembly or meeting; or (v) for directing or promoting any profession without the permission under clause (6) of sub-section (3) of the said section or for the contravention of any of the conditions subject to which permission was granted under that clause. In order to have a deterrent effect, it is proposed that the above offences may be made punishable with fine not exceeding one thousand rupees or with imprisonment not exceeding one month or with both. 2. The present measure seeks to give effect to this proposal. 3. The Committee constituted under the proviso to sub-section (2) of section 3 of the Tamil Nadu State Legislature (Delegation of Powers) Act, 1976 (41 of 1976) has been consulted before the enactment of this measure is a President's Act. Published in Part IV - Section 2 pages 332-333 of the Tamil Nadu Government Gazette Extraordinary dated the 5th November, 1976. Statement of Objects and Reasons - Madras City Police (Amendment) Act, 1979 (Tamil Nadu Act 63 of 1979). - Under section 77 of the Madras City Police Act, 1888 (Tamil Nadu Act III of 1888), the Commissioner of Police is empowered to levy such fee not exceeding twenty rupees as may from time to time be fixed by the State Government for every licence, or permission granted under the said Act. It is considered that the prevailing rates of fees levied by the Commissioner of Police under the said section for the above purpose are very low, taking into consideration the increase in the cost of services rendered in granting such licence and permissions. Compared to the rates of fees obtaining in the cities of Bombay and Calcutta, the rates of fees levied by the Commissioner of Police, Madras, under the Tamil Nadu Act are also very low. It has, therefore, been considered necessary to enhance the maximum levy of fee from twenty rupees to seventy five rupees by suitably amending the said section 77 of the Madras City Police Act, 1888. 2. The Bill seeks to achieve the above object. Published in Part IV - Section 1, page 366 of the Tamil Nadu Government Gazette Extraordinary, dated the 27th October 1979. Statement of Objects and Reasons - Tamil Nadu Police Laws (Amendment and Validation) Act, 1979 (Tamil Nadu Act 49 of 1979). - The Police Department was trifurcated with effect from the 1st June 1979. Three Inspectors-General had been appointed to be in-charge of Crime and Law and Order, Enforcement and Armed Police. A new post of Director-General of Police had also been created to be the new head of the Police Department. Hence, it was considered necessary to amend the Tamil Nadu District Police Act, 1859 (Central Act XXIV of 1859) and the Madras City Police (Amendment) Act, 1907 (Tamil Nadu Act III of 1907) with effect from the 1st June 1979 so as to bring the new post of Director-General of Police within the preview of the said Acts. Accordingly the Tamil Nadu Police Laws (Amendment and Validation) Ordinance, 1979 (Tamil Nadu Ordinance 19 of 1979) was promulgated by the Governor. 2. The Bill seeks to replace the said Ordinance. Published in Part IV - Section 1, page 448 of the Tamil Nadu Government Gazette Extraordinary, dated the 5th November 1979. Statement of Objects and Reasons - Tamil Nadu District Police and Madras City Police (Amendment) Act, 1981 (Tamil Nadu Act 35 of 1981). - The Malabar Special Police Battalions and the Special Armed Police Battalions of this State have been integrated and renamed as the Tamil Nadu Special Police Battalions on the 20th October 1971. The

Special rules for the integrated battalions have to take effect on the 20th October, 1971. As the Tamil Nadu District Police Act, 1859 (Central Act XXIV of 1859) and the Madras City Police Act, 1888 (Tamil Nadu Act III of 1888) do not empower the State Government to make rules with retrospective effect, it is therefore proposed to amend the said Acts so as to enable the State Government to make rules with retrospective effect.

2. Section 71 of the Madras City Police Act, 1888 (Tamil Nadu Act III of 1888) lays down the penalty or fine not exceeding two hundred and fifty rupees or imprisonment which may extend to three months, among others, for the offence of affixing bills or otherwise defacing in any public place without the consent of the owner or occupier. With a view to effectively curb such offences and with a view to enable the owner or occupier without whose consent bills were affixed, or the public places were defaced, to remove the bills or to set right the defacement, it has been decided that such owner or occupier shall be awarded compensation by the Court convicting the offender. It has also been decided that where the defacement was, committed at the instance of any person by any other person on his behalf, the person, at whose instance the defacement was committed shall be liable to punishment.

3. The Bill seeks to achieve the above objects. Published in Part IV - Section 1, page 488 of the Tamil Nadu Government Gazette Extraordinary, dated the 2nd April 1981. Statement of Objects and Reasons - Madras City Police (Amendment) Act, 1995 (Tamil Nadu Act 23 of 1995).

- Section 35 of the Madras City Police Act, 1888 (Tamil Nadu Act III of 1888), inter alia, provides that no enclosed place or building shall be used as tavern, wine, beer or spirit-shop arrack or toddy shop or for the sale or consumption of any intoxicating drug or liquor without a licence from the Commissioner of Police, Madras.

2. Rules made under the Tamil Nadu Prohibition Act, 1937 (Tamil Nadu Act X of 1937), provide for the issue of licences by various authorities specified therein for sale or consumption of wine, beer, spirit, arrack, toddy or other intoxicating drug or liquor. In view of the above, the provision contained in section 35 of the said Tamil Nadu Act III of 1888 in so far as it relates to issue of licences for liquor shops, arrack shops, toddy shops, etc., is superfluous. It is, therefore, proposed to amend sections 35 and 36 of the said Tamil Nadu Act III of 1888 suitably.

3. The Bill seeks to give effect to the above object. Published in Part IV - Section 1 of the Tamil Nadu Government Gazette Extraordinary, dated the 3rd November 1995. Statement of Objects and Reasons - Madras City Police (Second Amendment) Act, 1995 (Tamil Nadu Act 41 of 1995).

- Section 3 of the Madras City Police Act, 1888 (Tamil Nadu Act III of 1888) defines "City of Madras" as all places within the local limits of the ordinary original jurisdiction of the High Court of judicature of Madras. It is proposed to include certain areas of the Chengalpattu-M.G.R. East District in the City of Madras, for purposes of better administration of police and to have effective control over crimes and law and order problem including matters relating to traffic. Now, that Joint Commissioner of Police, are also functioning in the City of Madras, it is proposed to include the Joint Commissioner also in sections 6 and 51-A of the said Act. To achieve the above objects, the Government have decided to amend the Madras City Act, 1888 (Tamil Nadu Act III of 1888) suitably.

2. The Bill seeks to give effect to the above decision. Published in Part IV - Section 1, page 76 of the Tamil Nadu Government Gazette Extraordinary, dated the 6th May 1995. Statement of Objects and Reasons - City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).

- The area comprising the City of Madras has been called as "Chennai" in Tamil from ancient days. This name has been employed by the people in different walks of life and it has thus been universally accepted. Keeping the universal acceptance of the name "Chennai" in view and keeping also the historical, social, cultural and other details of the City of Madras in view, the Government have taken a policy decision that Madras

would be hereafter called "Chennai" in all languages, as against "Madras" and "Madharas" now being called in other languages.² The Bill seeks to give effect to the above decision. Published in Part IV - Section 1, page 156 of the Tamil Nadu Government Gazette Extraordinary, dated the 31st August 1996. Statement of Objects and Reasons - Chennai City Police (Amendment) Act, 1998 (Tamil Nadu Act 18 of 1998). - As per section 30 of the Chennai City Police Act, 1888 (Tamil Nadu Act III of 1888), whenever any person dies intestate leaving movable property within the City of Chennai under two hundred rupees in value, such property may be taken charge of by the police, and it shall be lawful for the Commissioner to order the said property to be delivered to any person who may appear to him to be entitled thereto. In view of the escalation of the cost of movable properties, it has been decided to increase the monetary limit specified in the said section 30 to one lakh rupees, by amending the said Act suitably.² The Bill seeks to give effect to the above decision. Published in Part IV - Section 1, page 2 of the Tamil Nadu Government Gazette Extraordinary, dated the 25th May 1998. Statement of Objects and Reasons - Chennai City Police (Amendment) Act, 1999 (Tamil Nadu Act 1 of 1999). - As per the provisions contained in Section 35 of the Chennai City Police Act, 1888 (Tamil Nadu Act III of 1888), no enclosed place or building shall be used as Coffee-house without a licence obtained from the Commissioner of Police. With a view to exempt the Coffee-house from obtaining a licence from the Commissioner of Police, the Government have decided to amend the said Section 35 of the said Act suitably.² The Bill seeks to give effect to the above decision. Published in Part IV - Section 1, page 2 of the Tamil Nadu Government Gazette Extraordinary, dated the 19th February 1999. Statement of Objects and Reasons - Chennai City Police (Amendment) Act, 2007 (Tamil Nadu Act 43 of 2007). - According to section 35 of the Chennai City Police Act, 1888 (Tamil Nadu Act III of 1888), no enclosed place or building shall be used as an eating-house, boarding-house, lodging-house, hotel, gymnasium or fencing-school without a licence obtained from the Commissioner. The President, Tamil Nadu Hotels Association, has represented to the Government to dispense with the requirement of getting licence for running eating-houses, boarding-houses, lodging-houses and hotels under section 35 of the said Act from the Police Department as there is a provision in the respective Municipal Corporation Acts for the grant of such licence.² After careful examination of the said representation of the President, Tamil Nadu Hotels Association, the Government in G.O. Ms.No. 1304, Home, dated 8th September 2007, directed that the grant of licence under the said section 35 of the Chennai City Police Act, 1888 (Tamil Nadu Act III of 1888) may be done away with and it would suffice if a No Objection Certificate with regard to traffic clearance is obtained by the respective Municipal Corporation from the respective Commissioner of Police. The Government have now decided to amend the said section 35 of the Chennai City Police Act, 1888, suitably.³ The Bill seeks to give effect to the above decision. Published in Part IV - Section 2 of the Tamil Nadu Government Gazette Extraordinary, dated the 22nd October 2007. Received the assent of the Governor on the 12th April 1888 and that of the Governor-General on the 26th June 1888. An Act to regulate the police of the City of [Chennai] [Substituted for the word 'Madras' by City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).], Preamble. - Whereas it is expedient to amend and consolidate the provisions of the laws for regulating the Police of the City of [Chennai] [State of Tamil Nadu, represented by its Secretary, Home (Police V) Department, Chennai v.S. Mariappan, (2005) 2 MLJ 162 (Madras).]; It is enacted as follows: -

1. Short title.

(1) This Act may be cited as the [Chennai] [Substituted for the word 'Madras' by City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).] City Police Act, 1888. Local extent. -
(2) It extends to the whole of the City of [Chennai] [Substituted for the word 'Madras' by City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).] as defined in section 3. [***]
[Section 1 (3) 'It shall come into force at once' was repealed by Repealing and Amending Act, 1901 (Central Act XI of 1901).]

2.

- [Repealed] [Repealed by Repealing and Amending Act, 1901 (Central Act XI of 1901).].

3. Interpretation clause.

- In this Act, unless there be something repugnant in the subject or context, - ["City of [Chennai] [Substituted by Madras City Police (Amendment) Act, 1995 (Tamil Nadu Act 23 of 1995).]". - "City of [Chennai] [Substituted for the word 'Madras' by City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).] means the area declared by the State Government, by notification, to be the City of [Chennai] [Substituted for the word 'Madras' by City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).]; "Commissioner". - "Commissioner" means the Commissioner of Police for [Chennai] [Substituted for the word 'Madras' by City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).] referred to in section 5; "Conviction". - "Conviction" means the conviction of the accused person before a Presidency Magistrate; "Imprisonment". - "Imprisonment" means imprisonment of either description as defined in the Indian Penal Code (Central Act XLV of 1860); "Common gaming-house" - "Common gaming-house" means any house, room, tent, enclosure, vehicle, vessel or any place whatsoever in which cards, dice, tables or other instruments of gaming are kept or used for the profit or gain of the person owning, occupying, using, or keeping such house, room, tent, enclosure, vehicle, vessel or place, whether by way of charge for the use of instruments of gaming or of the house, room, tent, enclosure, vehicle or place, or otherwise howsoever, and includes any house, room, tent, enclosure, vehicle, vessel or place opened, kept or used or permitted to be opened, kept or used for the purpose of gaming;] [Substituted by Madras City Police and Gaming (Amendment) Act, 1955 (Tamil Nadu Act XVI of 1955).] ["Gaming" - "Gaming" does not include a lottery, but includes wagering or betting except wagering or betting on a horse-race when such wagering or betting takes place] [Substituted by Madras City Police and Gaming (Amendment) Act 1949 (Tamil Nadu Act VII of 1949).] - (i) on the date on which such race is to be run, and (ii) in a place or places within the race enclosure which the authority controlling such race has with the sanction of the [State Government] [Substituted for the word 'province' by the Adaptation Order of 1950.] set apart for the purpose. For the purposes of this definition, wagering or betting shall be deemed to comprise the collection or soliciting of bets, the receipt or distribution of winnings or prizes, in money or otherwise, in respect of any wager or bet, or any act which is intended to aid or facilitate wagering or betting or such collection, soliciting, receipt or distribution; "Instruments of gaming" - "Instruments of gaming" include any article used or intended to be used as a subject or means of gaming, any document used or intended to be used

as a register or records or evidence of any gaming, the proceeds of any gaming, and any winnings or prizes in money or otherwise distributed or intended to be distributed in respect of any gaming;] [Substituted by Tamil Nadu Act XXII of 1941, which was permanently re-enacted by Tamil Nadu Act VIII of 1948.]"Public place". - "Public place" means a place (including a road, street, or way, whether a thoroughfare or not and a landing place) to which the public are granted access or have a right to resort, or over which they have a right to pass;] [Inserted by Madras City Police and Towns Nuisances (Amendment) Act 1941 (Tamil Nadu Act XXIII of 1941), which was permanently re-enacted by Tamil Nadu Re-enacting Act, 1949 (Tamil Nadu Act X of 1949).]"Cattle" - "Cattle" includes homed cattle, horses, asses, mules, sheep, goats, swine, camels and elephants;"Subordinate ranks" - "Subordinate ranks" means the ranks inferior to that of Assistant Commissioner.

4.

- [Repealed by Madras Repealing and Amending Act, 1957 (Tamil Nadu Act XXV of 1957).]

5. Administration vested in the Commissioner of Police.

- The administration of the Police of the City of [Chennai] [Substituted for the word 'Madras' by City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).] shall be vested in an officer to be styled the Commissioner of Police for [Chennai] [Substituted for the word 'Madras' by City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).]. [Administration of Police employed at Railway Stations, etc., may be vested in the Inspector-General of Police - Provided that the [State Government] [Proviso was added by section 1 of Madras Act III of 1898. As to the control by the Director-General of Police of the Chennai City Police, see Tamil Nadu Act III of 1907.] may, by notification in the [Official Gazette] [Substituted by the Adaptation Order, 1937.] which [they] [Substituted by the Adaptation Order, 1937.] may cancel or vary, at any time direct that the administration of such of the Police within the City of [Chennai] [Substituted for the word 'Madras' by City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).] as are or may be employed at any railway stations or on any railway premises or within the limits of any railway or part of any railway situated within the limits of the City of [Chennai] [Substituted for the word 'Madras' by City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).], shall be vested in the [Director-General of Police] [Substituted by Tamil Nadu Police Laws (Amendment and Validation) Act, 1979 (Tamil Nadu Act 49 of 1979).], and from and after the issue of such notification the powers under this Act of the Commissioner and of his deputies or assistants in respect of such Police shall cease, and the [Director-General of Police] [Substituted by Tamil Nadu Police Laws (Amendment and Validation) Act, 1979 (Tamil Nadu Act 49 of 1979).] and under his control such officers as shall be appointed by the [State Government] [The words 'Provincial Government' were substituted for the words 'Governor in Council' by the Adaptation Order, 1937 and the word 'State' was substituted for 'Provincial' by Adaptation Order, 1950.] to be Superintendent or Assistant Superintendent of Railway Police shall, as regards such Police, exercise all the powers of the Commissioner of Police under this Act, save that the power conferred on the Commissioner by section 10 shall, in respect of such Police, be exercised by the [Director-General of Police alone] [Substituted by Tamil Nadu Police Laws (Amendment and Validation) Act, 1979 (Tamil Nadu Act 49 of 1979).].]

6. Appointment of [Joint Commissioners or Deputy Commissioners or Assistant Commissioners] [Substituted for the words 'Deputies or Assistants to the Commissioner' by Madras City Police (Amendment) Act, 1995 (Tamil Nadu Act 23 of 1995)].

- The Government may, from time to time, appoint one or more [Joint Commissioners or Deputy Commissioners or Assistant Commissioners] [Substituted for the words 'Deputies or Assistants to the Commissioner' by Madras City Police (Amendment) Act, 1995 (Tamil Nadu Act 23 of 1995).], who shall be competent to perform any of the duties or exercise any of the powers assigned to that officer as Commissioner under his orders.

7. [Commissioner's powers as Magistrate. [Substituted by Tamil Nadu District Police and the Madras City Police (Amendment) Act, 1981 (Tamil Nadu Act 35 of 1981).]

- The Commissioner shall, by virtue of his office, be Executive Magistrate, for the purposes of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), and shall exercise the powers as an Executive Magistrate, subject to such orders as the State Government may, from time to time, issue.]

8.

- [Omitted by Tamil Nadu District Police and the Madras City Police (Amendment) Act, 1981 Tamil Nadu Act 35 of 1981.]

9. Constitution of Police-force.

- For the City of [Chennai] [Substituted for the word 'Madras' by City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).], there shall be a Police-force which shall consist of such number of officers and men and shall be otherwise constituted in such manner as shall, from time to time, be ordered by the [State Government] [The words 'Provincial Government' were substituted for the words 'Governor-in-Council' by the Adaptation Order, 1937 and the word 'State' was substituted for 'Provincial' by the Adaptation Order, 1950.]. Subject to the provisions of this Act, the pay and all other conditions of service of the members of the subordinate rank of the Police-force shall be as such as may be determined by the [State Government] [The words 'Provincial Government' were substituted for the words 'Governor-in-Council' by the Adaptation Order, 1937 and the word 'State' was substituted for 'Provincial' by the Adaptation Order, 1950.] by rules either prospectively or retrospectively:[Provided that the rules made under this section shall not have retrospective effect from a date of earlier than the 20th day of October 1971.] [Substituted by Tamil Nadu District Police and the Madras City Police (Amendment) Act, 1981 (Tamil Nadu Act 35 of 1981).]

10. - Rules for the governance of the force to be made by the Commissioner subject to the control of the [State Government] [The words 'Provincial Government' were substituted for the words 'Governor-in-Council' by the Adaptation Order, 1937 and the word 'State' was substituted for 'Provincial' by the Adaptation Order, 1950.].

- The Commissioner may, from time to time, subject to the control of the [State Government] [The words 'Provincial Government' were substituted for the words 'Governor-in-Council' by the Adaptation Order, 1937 and the word 'State' was substituted for 'Provincial' by the Adaptation Order, 1950.] frame orders and regulations for the general governance of the force.

11. Commissioner may dismiss, suspend, reduce, etc., members of the subordinate ranks of the force.

- [The Commissioner] [Substituted for the words 'The appointment of the members of the force shall rest with the Commissioner and' by the Adaptation Order, 1937.] may, at any time, [subject to the provisions of Article 311 of the Constitution and to the control of the State Government] [Substituted for the words 'Subject to the control of the State Government' by the Adaptation (Third Amendment) Order, 1951.], [dismiss, suspend or reduce to a lower post or time-scale or to a lower stage in a time-scale] [Substituted for the words 'fine, suspend, reduce or dismiss any member thereof, provided that no fine shall exceed one month's pay' by section 3 of the Chennai City Police (Amendment) Act, 1936 (Tamil Nadu Act XX of 1936).], any member [of the subordinate ranks of the Police force] [Substituted for the words 'thereof' by the Adaptation Order, 1937.] and may order the recovery from the pay of any such member, of the whole or parts of any pecuniary loss caused to Government by his negligence or breach of orders.

12. Members of the force to receive certificates on enrolment.

- Every member of the force shall receive on enrolment, a certificate in the following form under the signature of the Commissioner: -Form "A.B. has been appointed a member of the [Chennai] [Substituted for the word 'Madras' by City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).] City Police force and is invested with the powers, functions and privileges of a Police officer". By virtue of such certificate, he shall be vested with the powers, functions and privileges of a Police-officer and such certificate shall cease to have effect whenever the person named in it is suspended or dismissed, or otherwise ceases to be employed in the force.

13. Members of the subordinate ranks of the force not to resign without leave or notice.

- No member [of the subordinate ranks] [Inserted by the Adaptation Order, 1937.] of the force shall be at liberty to resign his office, or to withdraw himself from the duties thereof, without the written permission of the Commissioner or until after the expiry of two months from the date of his giving

to the Commissioner a notice in writing of his intention to do so and every member [of the subordinate ranks] [Inserted by the Adaptation Order, 1937.] of the force, who shall so resign or withdraw himself, shall be liable, at the discretion of the Commissioner, to forfeit the whole or part of any arrears of pay then due to him; and shall, in addition, be liable on conviction to fine not exceeding fifty rupees, or to imprisonment not exceeding two months, or to both.

14. Member ceasing to belong to the force to deliver up certificate, clothing, accoutrement's, etc.

- Every member of the force shall, on ceasing to belong thereto, forthwith deliver up to the Commissioner, or to such person and at such time and place as shall be directed by the Commissioner, his certificate and all clothing, accoutrements and other articles supplied to him for the execution of his duty, and in default thereof shall be liable on conviction to fine not exceeding two hundred rupees, or to imprisonment not exceeding six months, or to both. And it shall be lawful for the Commissioner, or for any Magistrate, to issue his warrant to search for and seize all the clothing, accoutrements and other articles which shall not be delivered up, wherever the same may be found.

15. Penalty for neglect or violation of duty.

- For neglect or violation of duty in his office, and for breach of the orders and regulations framed as aforesaid, every member of the force, besides being suspended or dismissed from his employment as hereinbefore provided, shall be liable on conviction to fine not exceeding one hundred rupees, or to imprisonment not exceeding three months, or to both.

16. Police enrolled under Central [Act XXIV of 1859] [Tamil Nadu District Police Act, 1859.] to have powers of Police in the City of [Chennai] [Substituted for the word 'Madras' by City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996)].

- Every Police-officer appointed under the provisions of [Act XXIV of 1859] [Tamil Nadu District Police Act, 1859.] may, at any time, be employed in the City of [Chennai] [Substituted for the word 'Madras' by City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).], and whilst so employed shall have the same duties, powers and privileges, and be subject to the same authority, as the Police-officers appointed under this Act.

17. Appointment of [Special Police-officer] [Substituted for the words 'Special Constable' by Madras City Police (Amendment) Act, 1936 (Tamil Nadu Act XX of 1936)].

- The Commissioner may, of his own authority, appoint any able-bodied male person between the ages of eighteen and fifty-five to be [a Special Police-officer] [Substituted for the words 'Special

Constable' by Madras City Police (Amendment) Act, 1936 (Tamil Nadu Act XX of 1936).] to assist the Police force on any temporary emergency. [Every Special Police-officer] [Added by Madras City Police (Amendment) Act, 1936 (Tamil Nadu Act XX of 1936).] so appointed shall receive a certificate in such form as the [State Government] [The words 'Provincial Government' were substituted for the words 'Local Government' by Adaptation Order, 1937 and the 'State' was substituted for 'Provincial' by Adaptation Order, 1950.] may determine under the signature of the Commissioner.]

18. Powers of [Special Police-officer] [Substituted for the words 'Special Constable' by Madras City Police (Amendment) Act, 1936 (Tamil Nadu Act XX of 1936)].

- Every [Special Police-officer] [Substituted for the words 'Special Constable' by Madras City Police (Amendment) Act, 1936 (Tamil Nadu Act XX of 1936).] so appointed shall have the same powers, privileges and protection, and shall be liable to perform the same duties, amenable to the same penalties, and subordinate to the same authorities, as the ordinary officers of police.

19. Penalty for [Special Police-officer] [Substituted for the words 'Special Constable' by Madras City Police (Amendment) Act, 1936 (Tamil Nadu Act XX of 1936).] neglecting or refusing to serve.

- If any person being appointed a [Special Police-officer] [Substituted for the words 'Special Constable' by Madras City Police (Amendment) Act, 1936 (Tamil Nadu Act XX of 1936).] as aforesaid shall, without sufficient excuses, neglect or refuse to serve as such or to obey such lawful order or direction as may be given to him or the performance of his duties, he shall be liable, on conviction, to fine not exceeding fifty rupees.

20. Powers to quarter additional police in disturbed parts of the City.

- It shall be lawful for the Commissioner, with the sanction of the [State Government] [The words 'Provincial Government' were substituted for the words 'Local Government' by Adaptation Order, 1937 and the 'State' was substituted for 'Provincial' by Adaptation Order, 1950.] to be notified in the [Official Gazette] [Substituted for the words 'Fort St. George Gazette' by the Adaptation Order, 1937. Now, Tamil Nadu Government Gazette.] and in such other manner as the [State Government] [The words 'Provincial Government' were substituted for the words 'Local Government' by Adaptation Order, 1937 and the 'State' was substituted for 'Provincial' by Adaptation Order, 1950.] may direct, to employ any Police-force in excess of the ordinary fixed complement to be quartered in any street or in any part of the City of [Chennai] [Substituted for the word 'Madras' by City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).] which shall be found to be in a disturbed or dangerous state, or in any part of the said city in which, from the conduct of the inhabitants, he may deem it expedient to increase the number of Police. The inhabitants of the street or part of the city, described in the notification shall be charged with the cost of such additional Police-force, or with such part thereof as the [State Government] [The words 'Provincial Government' were substituted for the words 'Local Government' by Adaptation Order, 1937 and the

'State' was substituted for 'Provincial' by Adaptation Order, 1950.] may direct, and the Commissioner shall assess the proportion in which the amount is to be paid by the inhabitants, according to his judgment of their respective means.

21. [Power to appoint additional Police-officer. [Section 21 was substituted by Chennai City Police (Amendment) Act, 1936 (Tamil Nadu Act XX of 1936).]

(1)On the application of any person and at his charge, the [State Government] may, for the purposes of keeping the peace or preserving order at any place or of enforcing the provisions of this or of any other Act in respect of any specified class of offences, appoint additional officers of such rank or grade, on such pay, if any, and for such time as [they] [Substituted for the word 'he' by Adaptation Order, 1937.] may think fit:Provided that on the expiry of one month from the receipt of notice in writing from the applicant or his representative or on the expiry of such shorter period as the [State Government] [The words 'Provincial Government' were substituted for the words 'Local Government' by Adaptation Order, 1937 and the 'State' was substituted for 'Provincial' by Adaptation Order, 1950.] may fix, the [State Government] [The words 'Provincial Government' were substituted for the words 'Local Government' by Adaptation Order, 1937 and the 'State' was substituted for 'Provincial' by Adaptation Order, 1950.] shall discontinue the Police-officers so appointed.(2)Every additional Police-officer so appointed - (a) shall receive a certificate in such form as the [State Government] [The words 'Provincial Government' were substituted for the words 'Local Government' by Adaptation Order, 1937 and the 'State' was substituted for 'Provincial' by Adaptation Order, 1950.] may determine, under the signature of the Commissioner; and(b)shall have such of the powers and duties of an ordinary Police-officer of like rank as are specially mentioned in the certificate referred to in clause (a) and shall, in the exercise or performance thereof, have the same protection and privileges, be amenable to the same penalties, and be subordinate to the same authorities as such officer.]

22. Recovery of moneys due.

- All sums of money payable under the last two preceding sections shall be recoverable by suit in any competent Court or by distress and sale of the goods of the defaulter under the warrant of a Magistrate.

23. Duties of Police-officers.

- Every Police-officer shall, for the purposes of this Act, be considered to be always on duty. He shall not engage, without the written permission of the Commissioner, in any duty other than his duties under this Act. It shall be his duty to use his best endeavours and ability to prevent offences and public nuisances; to preserve the peace; apprehend disorderly and suspicious characters; to detect and bring offenders to justice; to take charge of all unclaimed property; to seize and impound stray cattle; to collect and communicate intelligence affecting the public peace, and promptly to obey and execute all orders and warrants lawfully issued to him; and it shall be lawful for every Police-officer, for any of the purposes mentioned in this section, without a warrant to enter and inspect any

drinking shop, gaming-house or other place of resort of loose or disorderly characters.

24. Powers of Police-officer and agent of the society for the prevention of cruelty to animals may arrest without warrant [offences committed in their presence] [Substituted by Tamil Nadu District Police and the Madras City Police (Amendment) Act, 1981 (Tamil Nadu Act 35 of 1981)].

- [(1) Notwithstanding anything contained in this Act or any other law for the time being in force
-(a) any offence made punishable by section 45, 46, 49-A, 72 or 75 shall be cognizable, (b) any Police-officer may arrest without warrant any person committing [in his presence] any offence made punishable by this Act.][***] [Proviso was added by Tamil Nadu Act XLII of 1942 and omitted by Tamil Nadu Act 21 of 1964.](2)[Any agent of the Society for the Prevention of Cruelty to Animals who is specially empowered by the [State] [Sub-section (2) was added by Madras City Police Towns Nuisances and Prevention of Cruelty of Animals (Amendment) Act, 1942 (Tamil Nadu Act XX of 1942), re-enacted permanently with specified modifications by section 2(2) of, and the Second Schedule to, the Tamil Nadu Re-enacting Act, 1949 (Tamil Nadu Act X of 1949).] Government in that behalf may arrest without a warrant any person committing [in his presence and any offence punishable under section 53.] [Substituted by Tamil Nadu District Police and the Madras City Police (Amendment) Act, 1981 (Tamil Nadu Act 35 of 1981).] [Sub-section (1) was substituted by Madras City Police (Amendment) Act, 1975 (Tamil Nadu Act 17 of 1975).](3)[The agent shall have power to release any person so arrested on his executing a bond, with or without sureties for his appearance before a Magistrate if and when required.(4)The provisions of the Code of Criminal Procedure, 1882 [(Central Act V of 1882)] [Sub-sections (3) and (4) were inserted by Tamil Nadu Re-enacting Act, 1949 (Tamil Nadu Act X of 1949).] shall apply to any arrest made or bond taken under this section as if the arrest had been made, or the bond had been taken, under the said Code.]

25. Apprehension of offenders by private individual.

- Whoever commits an offence affecting the person or property of another may, if his name and address be unknown, be apprehended by the person injured or in-charge of the property concerned, or by any person acting in aid of such person, and may be detained until he gives his name and address and satisfy such person that the name and address so given are correct, or until he can be delivered into the custody of a Police-officer.

26. Powers to search for stolen property in certain cases without warrant.

- Any Police-officer above the rank of constable having reasonable ground to suspect that stolen property is concealed or lodged in any dwelling-house or other place, and is likely to be removed before a search warrant can be obtained, may search such house or place subject to the general provisions in the [Code of Criminal Procedure, 1973 (Central Act 2 of 1974),] [Substituted by Tamil Nadu District Police and the Madras City Police (Amendment) Act, 1981 (Tamil Nadu Act 35 of 1981).] relating to searches.

27. Seizure of property regarding which an offence is suspected.

- Any Police-officer may seize any property or thing which may be found in the possession of any person, where the possession by such person of such property or thing creates a reasonable suspicion of the committal of an offence; and such seizure shall be forthwith reported to the Commissioner, who shall, thereupon, make such order respecting the custody or production of the property as he shall think proper.

28. Pawn-brokers, etc., to report stolen property, if tendered for pawn or sale.

- Any officer of Police may deliver to any [*] **[The words 'pawn-brokers' were deemed to have been omitted on coming into force with effect on and from the 1st November 1944 in the City of Madras of the Tamil Nadu Pawnbrokers Act, 1943 (Tamil Nadu Act XXIII of 1943).] dealer in second hand property or worker in metals a list of any property believed to have been stolen, and thereupon, it shall be the duty of such [*]** **[The words 'pawn-brokers' were deemed to have been omitted on coming into force with effect on and from the 1st November 1944 in the City of Madras of the Tamil Nadu Pawnbrokers Act, 1943 (Tamil Nadu Act XXIII of 1943).] dealer or worker as aforesaid, upon any article answering the description of any of the property set forth in any such list being offered him [*] [The words 'pawn-brokers' were deemed to have been omitted on coming into force with effect on and from the 1st November 1944 in the City of Madras of the Tamil Nadu Pawnbrokers Act, 1943 (Tamil Nadu Act XXIII of 1943).] for sale, or otherwise, to inquire the name and address of the party offering such article, to seize and detain the article, and forthwith to communicate to the nearest police station the fact of such article having been offered and such name and address as may be given by the party offering it. Any [*] [The words 'pawn-brokers' were deemed to have been omitted on coming into force with effect on and from the 1st November 1944 in the City of Madras of the Tamil Nadu Pawnbrokers Act, 1943 (Tamil Nadu Act XXIII of 1943).] dealer or worker as aforesaid failing to comply with the requirements of this section without reasonable excuse shall be liable on conviction to fine not exceeding fifty rupees for every such offence. Such [***] [The words 'pawn-brokers' were deemed to have been omitted on coming into force with effect on and from the 1st November 1944 in the City of Madras of the Tamil Nadu Pawnbrokers Act, 1943 (Tamil Nadu Act XXIII of 1943).] dealer or worker as aforesaid may also detain any person offering such article as aforesaid pending the arrival of the Police.**

29. Powers to fix periods within which stray dogs may be killed.

- The Commissioner may, by order in writing, to be affixed at the principal police stations and also to be published in some public newspapers, appoint, from time to time, certain periods within which any dogs found straying and unmuzzled may be destroyed.

30. Power to take charge of, and deliver to party entitled to, movable property under [one lakh] [Substituted for 'two hundred' by Chennai City Police (Amendment) Act, 1998 (Tamil Nadu Act 18 of 1998).] rupees in value, of person dying intestate.

- Whenever any person dies intestate leaving movable property within the city of [Chennai] [Substituted for the word 'Madras' by City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).] under [one lakh] [Substituted for 'two hundred' by Chennai City Police (Amendment) Act, 1998 (Tamil Nadu Act 18 of 1998).] rupees in value, such property may be taken charge of by the Police, and it shall be lawful for the Commissioner to order the said property to be delivered, without requiring the production of any probate, letters of administration, certificate or other such conclusive evidence of title and upon such terms as he may think fit, to any person who may appear to him be entitled thereto; and such delivery shall be a full discharge to the Commissioner, and to the Government from all liability in respect of such property.

31. Certain provisions of [Code of Criminal Procedure, 1973]] [Substituted by Tamil Nadu District Police and the Madras City Police (Amendment) Act, 1981 (Tamil Nadu Act 35 of 1981).], to apply.

- The provisions of [sections 457, 458 and 459 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974)] [Substituted by Tamil Nadu District Police and the Madras City Police (Amendment) Act, 1981 (Tamil Nadu Act 35 of 1981).] shall, as nearly as may be practicable, apply to all property seized or taken charge of by the Police.

32. Commissioner to keep standard weights and measures.

- The Commissioner shall keep in his office standard weights and measures as may be from time to time prescribed or declared to be correct by the [State Government] [Substituted by the Adaptation Order of 1937 and 1950.]; and weights and measures shall be held to be false when they do not agree with such standards; and on conviction being had under Chapter XIII of the Indian Penal Code (Central Act XLV of 1860), the weights and measures which formed the subject-matter of the charge shall be forfeited and destroyed.

33. Power of Police to enter shops to inspect weights, etc.

- Any Police-officer above the rank of constable may enter any shop or premises for the purpose of inspecting the weights and measures and instruments for weighing or measuring kept or used therein, and may seize any weight, measure or instrument for weighing or measuring which he may have reason to believe is false.

34. [Places of public resort to be licensed. [Section 34 was re-numbered as sub-section (1) of section 34 and sub-sections (2), (3) and (4) were added to section 34 by Madras City Police (Second Amendment) Act, 1979 (Tamil Nadu Act 64 of 1979).]

(1)No enclosed place or building having an area of [forty-six and half square metres] or upwards shall be used for public entertainment or resort without a licence from the Commissioner:[Provided that nothing contained in this sub-section shall apply to any church, temple, mosque, or other place of worship.] [Proviso was added by Madras City Police (Amendment) Act, 1975 (Tamil Nadu Act 17 of 1975).](2)The Commissioner may, at the time of grant of a licence under sub-section (1) or at any time during the currency of any such licence, require any person, other than a local authority, applying for such licence, or the holder of such licence, as the case may be, to deposit with the Commissioner in cash or in Government promissory notes for such sum, as may be prescribed as security for the due observance of the conditions of licence.(3)Where there is breach or non-observance of the conditions of the licence granted under sub-section (1), the Commissioner may forfeit the security so deposited to the Government.(4)The forfeiture of the deposit shall not be a bar for proceeding against the holder of the licence under the provisions of section 76.]

34A. Penalty for selling tickets for admission to any place of entertainment in certain circumstances.

(1)Whoever sells or attempts to sell except under the authority of, and at the place provided for and at the price fixed in this behalf by the proprietor of any entertainment shall be liable on conviction to fine not exceeding one hundred rupees, or to imprisonment not exceeding three months, or to both.(2)Any Police-officer, not below the rank of a Head Constable, may arrest, without warrant, any person who, in his view, commits any offence punishable under sub-section (1) or seize any ticket in respect of which he is satisfied that any such offence has been committed.(3)A Judicial Magistrate trying an offence punishable under sub-section (1) may, without prejudice to any other punishment that may be imposed under sub-section (1), direct the forfeiture of any ticket seized under sub-section (2).Explanation. - In this section, "proprietor" in relation to an entertainment includes any person responsible for the conduct and management of such entertainment.

35. [Fencing-schools and gymnasium to be licensed. [Substituted by Chennai City Police (Amendment) Act, 2007 (Tamil Nadu Act 43 of 2007).]

(1)No enclosed place or building shall be used as a fencing-school or gymnasium without a licence obtained from the Commissioner:Provided that nothing in this section shall apply to any fencing-school or gymnasium of any educational institution controlled or recognized by the State Government.(2)No enclosed place or building shall be used as an eating-house, boarding-house, lodging-house or hotel without obtaining a no objection certificate from the Commissioner in regard to traffic clearance by the Municipal Corporation for the grant of a licence, for the first time, under the relevant City Municipal Corporation Act.Explanation. - For the purpose of this sub-section, "relevant City Municipal Corporation Act" means -(1)The Chennai City Municipal Corporation Act,

1919 (Tamil Nadu Act IV of 1919);(2)The Madurai City Municipal Corporation Act, 1971 (Tamil Nadu Act 15 of 1971);(3)The Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981);(4)The Tiruchirappalli City Municipal Corporation Act, 1994 (Tamil Nadu Act 27 of 1994);(5)The Tirunelveli City Municipal Corporation Act, 1994 (Tamil Nadu Act 28 of 1994); and(6)The Salem City Municipal Corporation Act, 1994 (Tamil Nadu Act 29 of 1994).]

36. Conditions for issue of licences under sections 34 and 35.

- Licences under the last two preceding sections may be granted by the Commissioner upon such conditions as he, subject to the control and direction of the [State Government] [The words 'Provincial Government' were substituted for the words 'Local Government' by Adaptation Order, 1937 and the 'State' was substituted for 'Provincial' by Adaptation Order, 1950.], may prescribe, and for such period not exceeding one year as may be stated in the licence.[***] [Proviso was omitted by Madras City Police (Second Amendment) Act, 1995 (Tamil Nadu Act 41 of 1995).]

37. [] [Sub-sections (2), (3) and (4) of section 37 were omitted and sub-section (1) of section 37 was re-numbered as section 37 by Madras City Police and Gamming (Amendment) Act, 1955 (Tamil Nadu Act XVI of 1955).] Penalty for omission to procure licence as required by section 34 or 35.

- Whoever keeps or uses or permits to be kept or used any enclosed place or building requiring a licence under section 34 or 35, without having obtained a licence as therein required, shall be liable on conviction to fine not exceeding fifty rupees for every day on which such a place or building is so used.

38. Power to enter and inspect licensed places and unlicensed places believed to be used contrary to the Act.

- The Commissioner may, by order in writing, authorise any Police-officer above the rank of Constable with such assistance as may be required, to enter and inspect closed place or building licensed under section 36 at any time when it is open for the reception of persons resorting thereto, and may, after recording his reasons in writing, likewise authorise any such officer to enter and inspect any place not licensed which the Commissioner has reason to believe to be used contrary to the provisions of section 34 or 35.

39. Power to make rules.

- The Commissioner may make rules for ensuring order and decency and for the public safety at all places of public entertainment or resort, and for regulating the times during which the places referred to in sections 34 and 35 shall be allowed to be opened or used and from time to time may rescind or alter such rules; and in case of breach of any such rules or of the conditions of the licence granted under section 36, may order such places to be closed, and while such order is in force, such places so ordered to be closed shall be deemed to be unlicensed places.

40. Service of copy of order on the owner.

- A copy of any order passed under the last preceding section shall be served on the owner, occupier or keeper of any such place as aforesaid, and if thereafter he does or permits any act in disobedience to such order, he shall be liable on conviction to imprisonment not exceeding three months or to fine, or to both.

40A. [Prohibition of smoking in certain places where entertainments are held. [Inserted by Madras City Police and Places of Public Resort (Amendment) Act, 1951 (Tamil Nadu Act XIII of 1951).]

(1) If any entertainment (including a cinematograph exhibition, dance or drama) to which members of the public are admitted, whether on payment or not, is held in an enclosed place or building, then, no person shall, during the prohibited period as defined in sub-section (2), smoke either -(a) on the stage except in so far as smoking may be part of the entertainment, or (b) in the auditorium, that is to say, in that portion of the enclosed place or building in which accommodation is provided for members of the public: Provided that the State Government may, by notification in the Tamil Nadu Government Gazette, exempt any class of the entertainments from the provisions of this sub-section. (2) For the purposes of sub-section (1), "prohibited period" means so much of the period commencing thirty minutes before the beginning of the entertainment and ending with the termination thereof, as may fall within the hours which the State Government may, by notification in the Tamil Nadu Government Gazette specify in this behalf for entertainments generally or any class of entertainments. (3) Any person who contravenes the provisions of this section shall also be liable to be ejected summarily from the enclosed place or building by any Police-officer and shall also be punishable with fine which may extend to fifty rupees. (4) A person ejected under sub-section (3) shall not be entitled to the refund of any payment made by him for admission to the entertainment or to any other compensation.]

41. Power to regulate assemblies, meetings and processions in public places, etc.

(1) The Commissioner, or subject to his orders, any Police-officer above the rank of head constable may, from time to time, as occasion may require direct the conduct of all assemblies, meetings and processions in public places; prescribe the routes by which and the times at which such processions may pass; keep order in public places and prevent obstructions on the occasion of such assemblies, meetings and processions, and in the neighbourhood of places of worship during the time of public worship and in any case when public places may be thronged or liable to be obstructed; and may licence and regulate or prohibit the use of music or of sound amplifiers in any area. (2) Subject to the provisions of sub-sections (3) and (4), the Commissioner may, by order in writing, prohibit any assembly, meeting or procession if he considers such prohibition to be necessary for the preservation of the public peace or public safety: Provided that no order under this sub-section shall, without the sanction of the State Government, remain in force for more than fifteen days from the date on which such order takes effect. (3) (a) When the order referred to in sub-section (2) is in force,

any person who intends to convene or collect any assembly or meeting in any public place or to direct or promote any procession, shall make an application to the Commissioner for permission. The application shall be in such form and contain such particulars as may be specified by the Commissioner in this behalf and shall be made not less than five days prior to the date on which the assembly or meeting is to be convened or collected or the procession is to be formed: Provided that the Commissioner may, for reasons to be recorded in writing, receive such application within five days prior to the date aforesaid. (b) On receipt of the application under clause (a), the Commissioner may, by order in writing served in the manner specified in sub-section (7), grant permission to convene or collect the assembly or meeting or to direct or promote the procession subject to such conditions as he may specify or refuse to grant such permission. (4) Except in cases where immediate action is necessary for the preservation of the public peace or public safety, no order refusing to grant permission shall be passed under clause (b) of sub-section (3) without giving the person concerned an opportunity of appearing before the Commissioner either in person or by pleader and showing cause against the order refusing to grant permission and the Commissioner shall record in writing the reason for such order. [(4-A) without prejudice to the provisions of sub-sections (1) to (4), where any person intends to direct or promote any procession, he shall give prior notice in writing at least 24 hours in advance of the commencement of such procession indicating therein the routes by which and the time at which the procession is proposed to be taken. Such notice shall be given to any Police-officer above the rank of a Head Constable of the police station having jurisdiction over the area in which the procession starts.] [Sub-section (4-A) was inserted by Madras City Police (Amendment) Act, 1975 (Tamil Nadu Act 17 of 1975) with effect from 1st July 1975.] (5) The Commissioner may, by order in writing, depute one or more Police-officers or other persons to be present in any such assembly, meeting or procession for the purpose of causing a report to be taken of the proceedings. (6) Any person who -(a) opposes or fails to obey any order under sub-section (1), or (b) contravenes the conditions of any licence under sub-section (1), or (bb) [fails to give prior notice referred to in sub-section (4-A), or] [Clause (bb) was inserted by Madras City Police (Amendment) Act, 1975 (Tamil Nadu Act 17 of 1975) with effect from 1st July 1975.] (c) when the order referred to in sub-section (2) is in force, convenes or collects any assembly or meeting or directs or promotes any procession -(i) without the permission of the Commissioner under clause (b) of sub-section (3), or (ii) in contravention of any of the conditions subject to which the permission was granted under that clause, shall be liable, on conviction, [to a fine not exceeding one thousand rupees, or to imprisonment not exceeding one month, or both] [Substituted by Madras City Police (Amendment) Act, 1976 (President's Act 39 of 1976) with effect from 1st April 1977.]. (7) The order referred to in clause (b) of sub-section (3) shall be served -(a) by giving or tendering the order to the person concerned; or (b) if such person is not found, by leaving such order at his last known place of abode or business or by giving or tendering the same to some adult member or servant of his family; or (c) if such person does not reside in the City of [Chennai] [Substituted for the word 'Madras' by City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).] and his address elsewhere is known to the Commissioner, by sending the same to him by post registered; or (d) if none of the means aforesaid be available, by affixing the same in some conspicuous part of the place of abode or business of such person. (8) Nothing in this section shall apply to any assembly or meeting of a purely religious character held in a recognised place of worship, any assembly or meeting gathered together purely for the purpose of taking part in sports, any procession on the occasion of any wedding, funeral or similar domestic occurrence, or of any

religious ceremony, or to any public meeting held under any statutory or other express legal authority, or to public meeting convened by the Sheriff, or to any public meetings or class of public meetings exempted for that purpose by the State Government by general or special order.(9)For the purposes of this section -(a)the words "assembly", "meeting" and "procession" include any assembly, meeting or procession which is open to the public or to any class or portion of the public;(b)a place in which an assembly or meeting is held may be a public place notwithstanding that it is held in a private place and notwithstanding that admission thereto may have been restricted by ticket or otherwise.

41A. [Power to prohibit drill or training by five or more persons, etc.

[Inserted by Madras City Police and Tamil Nadu District Police (Amendment) Act, 1984 (Tamil Nadu Act 19 of 1984) with effect from the 16th December 1983.]

(1)(a)The Commissioner may, whenever he considers it necessary so to do for the preservation of the public peace or public safety or for the maintenance of public order, by order in writing, prohibit the holding of, or taking part in, any drill with arms or training with arms by five or more persons in any place, whether public or private, or the carrying of arms in any procession.(b)The Commissioner may, whenever he considers it necessary so to do for the preservation of the public peace or public safety or for the maintenance of public order, by order in writing, prohibit -(i)the use of gestures or mimetic representations or playing of tapes or gramophone records or other instruments in which speeches or songs are recorded, or(ii)the preparation, exhibition or dissemination of pictures, symbols, play cards, signs, visible representations or any other object or thing, which may, in the opinion of the Commissioner, offend against decency or morality, or promote on ground of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, disharmony, feelings of enmity or hatred or ill-will between different religious, racial, language or regional groups or castes or communities.(2)No prohibition under this section shall remain in force for more than three months:Provided that if the State Government consider it necessary so to do for the preservation of the public peace or public safety or for the maintenance of public order, they may, by notification, direct that the order issued under subsection (1) shall remain in force for such further period not exceeding six months from the date on which such order would have, but for such notification, expired, as they may specify in the said notification.(3)Whoever contravenes any prohibition made under this section shall, on conviction, be liable to imprisonment for a term which may extend to six months and with fine which may extend to two thousand rupees.(4)Nothing contained in clause (a) of sub-section (1) shall apply to -(i)the holding of, or taking part in, any drill with arms or training with arms held by the, -(a)members of Home Guards;(b)members of Bharat Scouts and Guides in their capacity as such members;(c)Police personnel;(d)Fire Service personnel;(e)Jail Service personnel;(f)members of the Armed Forces of the Union including the National Cadet Corps; or(ii)the doing of any physical exercise other than drill with arms or training with arms.(5)Notwithstanding anything contained in this section, if the State Government are satisfied that it is necessary or expedient in the public interest so to do, they may, by notification, exempt, subject to such conditions as they deem fit, any person or class of persons from the provisions of clause (a) of sub-section (1) of this section.Explanation. - For the purposes of this

section "arms" means any type of offensive weapon and includes lathi and stick.]

42. [] [Original section 42 was re-numbered as sub-section (1) of that section and sub-section (2) was added by section 2 of the Madras City Police (Amendment) Act, 1933 (Tamil Nadu Act VI of 1933).] Commissioner may grant warrant to enter common gaming-house.

(1) If the Commissioner has reason to believe that any [place] [The word 'place' was substituted for the words 'enclosed place or building' by section 4 of the Madras City Police (Amendment) Act, 1929 (Tamil Nadu Act XIII of 1929).] is used as a common gaming-house, he may by his warrant give authority to any Police-officer above the rank of a Constable to enter, with such assistance as may be found necessary, by night or by day and by force if necessary, any such [place] [The word 'place' was substituted for the words 'enclosed place or building' by section 4 of the Madras City Police (Amendment) Act, 1929 (Tamil Nadu Act XIII of 1929).] and to arrest all persons found therein, and to seize all instruments of gaming and all moneys and securities for money and articles of value reasonably suspected to have been used or intended to be used for the purpose of gaming which are found therein, and to search all parts of such [place] [The word 'place' was substituted for the words 'enclosed place or building' by section 4 of the Madras City Police (Amendment) Act, 1929 (Tamil Nadu Act XIII of 1929).] and also the persons found therein. (2) The Commissioner may, instead of issuing a warrant under sub-section (1), himself exercise all or any of the powers exercisable under such warrant.]

43. Cards, dice, etc., found in search under last section to be evidence that place is a common gaming-house.

- Any cards, dice, gaming table or cloth board or other instruments of gaming found in any place entered or searched under the provisions of the last preceding section, or on any person found therein, shall be evidence that such [place] [The word 'place' was substituted for the words 'enclosed place or building' by section 4 of the Madras City Police (Amendment) Act, 1929 (Tamil Nadu Act XIII of 1929).] is used as a common gaming-house, and that the person found therein were there present for the purpose of gaming, although no play was actually seen by the Police-officer or any of his assistants.

44. Proof of playing for stakes unnecessary.

- It shall not be necessary, in order to convict any person of keeping a common gaming-house or of being concerned in the management of any common gaming-house, to prove that any person found playing at any game was playing for any money, wager, [bet] [The word 'bet' was inserted by Madras City Police (Amendment) Act, 1929 (Tamil Nadu Act XIII of 1929).] or stake.

45. Penalty for opening, etc., a common gaming-house.

- Whoever opens, keeps or uses or permits to be used any common gaming-house, or conducts or assists in conducting the business of any common gaming-house, or advances or furnishes money for gaming therein, shall be liable on conviction to fine not exceeding five hundred rupees, or imprisonment not exceeding three months, or to both.

46. Penalty for being found gaming in a common gaming-house.

- Whoever is found gaming or present for the purpose of gaming in a common gaming-house shall, on conviction, be liable to fine not exceeding two hundred rupees or to imprisonment not exceeding one month; and any person found in any common gaming-house during any gaming or playing therein shall be presumed, until the contrary be proved, to have been there for the purpose of gaming.

47. Instruments of gaming may be ordered to be destroyed on conviction.

- On conviction of any person for keeping a common gaming-house, or being present therein for the purpose of gaming, all the instruments of gaming found therein may be destroyed by order of the Magistrate, and such Magistrate may order all or any of the other articles seized, or the proceeds thereof, to be forfeited.

48. Indemnification of witnesses.

- Any person who shall have been concerned in gaming contrary to this Act, and who shall be examined as a witness before a Magistrate on the trial of any person for a breach of any of the provisions of this Act relating to gaming, and who upon such examination shall make true and faithful discovery to the best of his knowledge of all things as to which he shall be so examined, and who shall thereupon receive from the said Magistrate a certificate in writing to that effect, shall be freed from all prosecutions under this Act for anything done before that time in respect of such gaming.

49. Saving of games of skill.

- Nothing in sections 42 to 48 of this Act shall be held to apply to games of mere skill wherever played.

49A. [Penalty for opening, etc., any enclosure, etc., for certain forms of gaming [The original section 49-A was inserted by Madras City Police and Gaming (Amendment) Act 1949 (Tamil Nadu Act VII of 1949) and the present section 49-A was substituted for the original section by Madras City Police and Gaming (Amendment) Act, 1955 (Tamil Nadu Act XVI of 1955).]

(1)Whoever -(a)being the owner or occupier or having the use of any house, room, tent, enclosure, vehicle, vessel or place, opens, keeps or uses the same for the purpose of gaming -(i)on a horse-race, or(ii)on the market price of cotton, bullion, or other commodity or on the digits of the number used in stating such price, or(iii)on the amount or variation in the market price of any such commodity or on the digits of the number used in stating the amount of such variation, or(iv)on the market price of any stock or share or on the digits of the number used in stating such price, or(v)on the number of registration or on the digits of the number of registration of any motor vehicle using a public place, or(vi)on any transaction or scheme of wagering or betting in which the receipt or distribution of winnings or prices in money or otherwise is made to depend on chance, or(b)being the owner or occupier of any such house, room, tent, enclosure, vehicle, vessel or place knowingly or wilfully permits the same to be opened, occupied, kept or used by any other person for the purpose of gaming on any of the objects aforesaid, or(c)has the care or management of, or in any manner assists in, conducting the business of, any such house, room, tent, enclosure, vehicle, vessel or place opened, occupied, kept or used for the purpose of gaming on any of the objects aforesaid, or(d)advances or furnishes money for the purpose of gaming on any of the objects aforesaid with persons frequenting any such house, room, tent, enclosure, vehicle, vessel or place, shall be punishable with imprisonment for a term which may extend to two years and with fine which may extend to five thousand rupees, but in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the Court -(i)such imprisonment shall not be less than three months and such fine shall not be less than five hundred rupees for the first offence;(ii)such imprisonment shall not be less than six months and such fine shall not be less than seven hundred and fifty rupees for the second offence; and(iii)such imprisonment shall not be less than one year and such fine shall not be less than one thousand rupees for the third or any subsequent offence:Provided that, in the absence of special reasons to be recorded in writing, the punishment to be imposed on an offender on conviction for an offence under this sub-section shall be imprisonment for not less than one month or fine of not less than five hundred rupees or both.(2)Whoever is found in any house, room, tent, enclosure, vehicle, vessel or place referred to in sub-section (1), gaming on any of the objects specified in that sub-section or present for the purpose of gaming on any such object shall be punishable with imprisonment which may extend to one month or with fine which may extend to five hundred rupees or with both.Any person found in any such house, room, tent, enclosure, vehicle, vessel or place during any gaming therein on any of the objects specified in sub-section (1) shall be presumed, until the contrary is proved, to have been there for the purpose of gaming on such object.(3)Whoever is found gaming on any of the objects specified in sub-section (1) in any public street or thoroughfare, or in any place to which the public have or are permitted to have access shall be punishable with imprisonment which may extend to three months or with fine which may extend to three hundred rupees, or with both.]

49B. [Presumption of offences, etc. [Section 49-B was inserted by Madras City Police (Amendment) Act, 1975 (Tamil Nadu Act 17 of 1975) with effect from 1st July 1975.]

(1)Where in any trial of an offence punishable under sub-section (1) of section 49-A, it is proved that -(i)slips containing of digits showing the market price of cotton, bullion or other commodity; or(ii)accounts which appear to relate to cash received or disbursed for the purpose of wagering or

betting on the market price of cotton, bullion or other commodity; or(iii)newspapers containing publication of such price are found in any house, room, tent, enclosure, vehicle, vessel or place, it shall be presumed, until the contrary is proved that such house, room, tent, enclosure, vehicle, vessel or place is used for the purpose of gaming within the meaning of sub-section (1) of section 49-A.(2)Where in any trial of an offence punishable under sub-section (2) or subsection (3) of section 49-A, it is proved that the accused person is found in possession of any of the materials specified in sub-section (1), it shall be presumed, until the contrary is proved, that the accused has committed the offence, under sub-section (2) or sub-section (3), as the case may be, of section 49-A.]

50. [Payment of portion of fine to informants and Police-officers. [Section 50 was substituted by Madras City Police and Gambling (Amendment) Act, 1950 (Tamil Nadu Act XXXV of 1950).]

(1)The Magistrate may direct any portion, not exceeding one-half of any fine which shall be levied under [section 45, section 46 or section 49-A] and of the moneys or proceeds of articles seized and ordered to be forfeited under section 47, to be paid to such informants and Police-officers as may have assisted in the detection of the offender.A direction under this sub-section may also be made by any Court of appeal, reference or revision.(2)Where a direction is made under sub-section (1), the Magistrate concerned shall send the amount to be paid under that sub-section, to the Commissioner who shall distribute it among such of the informants and Police-officers aforesaid as may be chosen by him and in such proportions as he thinks fit.(3)The amount aforesaid shall not be sent to the Commissioner until the expiry of three months from the date of the direction under sub-section (1) or if an appeal is presented within that period, until the appeal has been disposed of.]

51. Penalty for cheating at games.

- Whoever by any fraud or unlawful device or may practice in playing at or with cards, dice or other game, or in bearing a part in the stakes, wagers, [bets] [The words 'bets' and 'or betting' were inserted by Madras City Police (Amendment) Act, 1929 (Tamil Nadu Act XIII of 1929).] or adventures, or in betting on the sides or hands of the players, or in wagering [or betting] [The words 'bets' and 'or betting' were inserted by Madras City Police (Amendment) Act, 1929 (Tamil Nadu Act XIII of 1929).] on the event of any game, sport, pastime or exercise, wins from any other persons for himself or for any other or others any sum of money or valuable thing [shall be liable on conviction to fine not exceeding five hundred rupees or to imprisonment not exceeding six months or to both.] [Substituted for the words 'shall be deemed guilty of cheating punishable under section 417 of the Indian Penal Code' by Madras City Police (Amendment) Act, 1936 (Tamil Nadu Act XX of 1936).]

51A. [Power to direct removal of persons from City in special cases. [Section 51-A was inserted by Madras City Police and Towns Nuisances (Amendment) Act 1941 (Tamil Nadu Act XXIII of 1941) which Act was permanently re-enacted by Tamil Nadu Re-enacting Act, 1949 (Tamil Nadu Act X of 1949).]

(1) Whenever the Commissioner is satisfied from information received or otherwise -(a) that the movements or acts of any person in the City of [Chennai] [***] [Certain words were omitted by Madras City Police and Tamil Nadu District Police (Amendment) Act, 1985 (Tamil Nadu Act 38 of 1985).] are causing or are calculated to cause, alarm, danger or harm to person or property, or that there are reasonable grounds for believing that such person is engaged or is about to be engaged in the commission of any offence involving force or violence or punishable under Chapters XII, XVI or XVII of the Indian Penal Code (Central Act XLV of 1860) or in the abetment of any such offence; and (b) that witnesses are not willing to come forward to give evidence in public against such person by reason of apprehension on their part regarding the safety of their person or property, the Commissioner may, by an order in writing signed by him, direct such person so to conduct himself as shall seem necessary to the Commissioner to prevent such alarm, danger or harm or the commission of such offence, or require such person to move himself outside the said city within such time as may be specified in the order. [***] [The Explanation was omitted by Tamil Nadu Hindu Religious and Charitable Endowments (Amendment) Act, 1995 (Tamil Nadu Act 38 of 1995).] [(1-A) Whenever the Commissioner has reason to believe that any person in the City of [Chennai] [Sub-sections (1-A) and (1-B) were inserted by Madras City Police and Tamil Nadu District Police (Amendment) Act, 1985 (Tamil Nadu Act 38 of 1985).] who have been convicted of an offence under section 135 of the Customs Act, 1962 (Central Act 52 of 1962) is likely again to engage himself in the commission of the offence for which he was convicted, the Commissioner may, by an order in writing signed by him, require such person to remove himself outside the said city and any district or districts or any part thereof contiguous thereto, by such route and within such time as may be specified in the order. (1-B) The order under sub-section (1) or sub-section (1-A) shall specify the period not exceeding two years during which such order shall remain in force.] (2) Before an order is passed against any person under sub-section (1) or [subsection (1-A)] [Inserted by Madras City Police and Tamil Nadu District Police (Amendment) Act, 1985 (Tamil Nadu Act 38 of 1985).], the [Commissioner or Joint Commissioner or any Deputy Commissioner.] [Substituted for the words 'Commissioner or any Deputy Commissioner' by Madras City Police (Amendment) Act, 1995 (Tamil Nadu Act 23 of 1995).] authorised by him shall inform such person in writing of the general nature of the material allegations against him and give him a reasonable opportunity of explaining those allegations. The [Commissioner or Joint Commissioner or Deputy Commissioner] [Substituted for the words 'Commissioner or any Deputy Commissioner' by Madras City Police (Amendment) Act, 1995 (Tamil Nadu Act 23 of 1995).] may also examine any witnesses produced by such person. Any written statement made by such person shall be filed with the record. Such person shall be entitled to appear before the [Commissioner or Joint Commissioner or Deputy Commissioner] [Substituted for the words 'Commissioner or any Deputy Commissioner' by Madras City Police (Amendment) Act, 1995 (Tamil Nadu Act 23 of 1995).] by an advocate or attorney for the purpose of explaining the allegations against him and examining the witnesses produced by him. (3) The [Commissioner or Joint Commissioner or Deputy Commissioner] [Substituted for the words 'Commissioner or any Deputy Commissioner' by Madras City Police (Amendment) Act, 1995 (Tamil Nadu Act 23 of 1995).] authorised under sub-section (2) may, for the purpose of securing the attendance of any person against whom an order is proposed to be made under sub-section (1), exercise all or any of the powers of a Court under sections 75 to 77 of the Code of Criminal Procedure, 1882 [(Central Act V of 1882)] [Now, refer Code of Criminal Procedure, 1973 (Central Act 2 of 1974).] (4) Any person aggrieved by an order of the Commissioner under sub-section (1)

may, within thirty days from the date of such order, appeal to the [State] [Substituted for the word 'provincial' by the Adaptation Order of 1950.] Government who may, after considering all the circumstances of the case, confirm, vary or rescind the order. Where an appeal is preferred to the [State] [Substituted for the word 'provincial' by the Adaptation Order of 1950.] Government under this sub-section, they may, at their discretion, subject to such conditions, if any, as they may think fit to impose, stay the operation of the Commissioner's order, pending the passing of final orders on the appeal.(5)No order passed by the Commissioner under sub-section (1) [or sub-section (1-A)] [Inserted by Madras City Police and Tamil Nadu District Police (Amendment) Act, 1985 (Tamil Nadu Act 38 of 1985).] or by the [State] [Substituted for the word 'provincial' by the Adaptation Order of 1950.] Government under sub-section (4) shall be called in question in any Court except on one or more of the following grounds, namely: -(a)that the procedure laid down in sub-section (2) was not followed; or(b)that there was no material upon which the order could have been based; or(c)that there was no sufficient ground for believing that witnesses were not willing to come forward to give evidence in public against the person in respect of whom the order was made.(6)(a)Any person who is guilty of the breach of any direction given to him under sub-section (1) or [sub-section (1-A)] [Inserted by Madras City Police and Tamil Nadu District Police (Amendment) Act, 1985 (Tamil Nadu Act 38 of 1985).] of sub-section (4) shall be punishable with imprisonment which may extend to two years or with fine or with both.(b)if any person directed under sub-section (1) [or sub-section (1-A)] [Inserted by Madras City Police and Tamil Nadu District Police (Amendment) Act, 1985 (Tamil Nadu Act 38 of 1985).] or sub-section (4) to remove himself outside the City of [Chennai] [Substituted by City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).] fails or refuses to do so re-enters the said City while such direction is in force, the Commissioner may, in lieu of, or in addition to, prosecuting such person under clause (a), cause him to be arrested and removed in police custody to such place outside the City as he may direct.(7)Nothing in this section shall be deemed to require any Police-officer to disclose to the person against whom an order is made under sub-section (1) or to any Court the sources of his information or any fact the communication of which might, in the opinion of the Commissioner, lead to the disclosure of the identity or name of any informant.]

52. Brothels.

- If the Commissioner has reason to believe that a house is used as a common brothel, or lodging-house for prostitutes, or disorderly persons or any description, he may summon the owner or tenant of the house, and on being satisfied that the house is so used and is a source of annoyance and offence to the neighbours, may order the owner or tenant to discontinue such use of it.

53. Penalty for cruelty to animals.

- Whoever cruelly beats, ill-treats or tortures any animal, or causes any animal to be cruelly beaten, ill-treated or tortured, shall be liable on conviction to fine not exceeding one hundred rupees, or to imprisonment, not exceeding three months, or to both.

54. Appointment of infirmary for animals.

- The [State Government] [The words 'Provincial Government' were substituted for the words 'Governor in Council' by the Adaptation Order of 1937 and the word 'State' was substituted for 'Provincial' by the Adaptation Order of 1950.] may, from time to time, appoint places to be infirmaries for the care and treatment of animals in respect of which an offence has been committed under the last preceding section, and may nominate fit persons to give certificates of discharge from such infirmary.

55. Magistrate may order animal to be destroyed or sent to infirmary.

- Upon conviction of an offence under section 53 of this Act, a Magistrate may, after due inquiry, order that the animal in respect of which the offence has been committed shall either be destroyed or be sent for care and treatment to an infirmary; and the Magistrate may by his order direct that the reasonable expenses of such care and treatment, or any portion thereof, shall be paid by the owner of such animal.

56. Animals sent to infirmary may be detained and shall be removed after notice.

- Every animal so sent for treatment may be detained at the infirmary until its discharge is authorised by a person nominated under section 54; and, thereupon, the person in-charge of the infirmary shall give notice to the owner of the animal, requiring him to pay any sum due under the order of the Magistrate on account of the care and treatment of the animal, and to remove it from the infirmary within forty-eight hours from the service of such notice.

57. In default of payment by owner of charges, etc., animal may be sold.

- If the owner shall refuse or neglect to pay the sum due and to remove the animal within the time specified in section 56, any Magistrate may direct that the animal be sold, and that the proceeds, deducting costs of sale, be applied to the payment of the sum due. Any surplus shall, on application within two months from date of sale, be paid to the owner of the animal, and in default of such application shall be forfeited to Government, but the owner shall not be liable to make any payment in excess of the net proceeds of such sale.

58. Magistrate may order delivery of animal to owner.

- Any Magistrate may, at any time and upon such terms as he thinks fit, direct that any animal detailed under the provisions of section 55 of this Act shall be delivered to the owner thereof.

59. Costs of inquiries.

- All costs of inquiries under section 55 of this Act shall be recoverable in the manner provided for the levying of fines from such persons connected with the inquiry as the Magistrate may direct.

60. Stray animals to be impounded.

- It shall be lawful for all persons to seize any cattle found straying upon any [public place] [Substituted for the words 'road, street or thoroughfare' by Tamil Nadu Act XXII of 1941.], or trespassing on any [private grounds] [Substituted for the words 'public or private grounds' by Tamil Nadu Act XXII of 1941.], and to confine such cattle in any pound appointed by the Commissioner and if such cattle shall not be redeemed by the owners within ten days after being so impounded by paying to the person having charge of such pound the fee of [three rupees] [Substituted by Madras City Police (Amendment) Act, 1975 (Tamil Nadu Act 17 of 1975) with effect from 1st July 1975.] for every goat, sheep or pig, and five rupees for every other animal, together with the expenses of feeding the same while impounded, according to such daily rate as may, from time to time, be fixed by the Commissioner, such cattle shall be publicly sold and the proceeds of such sale, after paying the said fee and the expenses of feeding, shall be paid to the owners thereof, or in default of their claiming such proceeds for the space of fifteen days after such sale, shall be credited to any fund applicable to Police purposes.

61. Powers of Police and the [Tamil Nadu Fire Services] [Substituted for the words 'Madras Fire Services' by Tamil Nadu Adaptation of Laws Order, 1970.] on the occasion of a fire.

- On the occasion of a fire in the City of [Chennai] [Substituted for the word 'Madras' by City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).], the Commissioner or any Police-officer above the rank of Constable or any member of the [Tamil Nadu Fire Services] [Substituted for the words 'Madras Fire Services' by Tamil Nadu Adaptation of Laws Order, 1970.] above the rank of Fireman may -(a)remove or order the removal of any persons who by their presence interfere with or impede the operations for extinguishing the fire or for saving life or property, and may close any street or passage in or near which any fire is burning;(b)by himself or those acting under his orders break into or through or pull down, or use for the passage of hoses or other appliances any premises for the purpose of extinguishing the fire, doing as little damage as possible;(c)cause the mains and pipes of any district to be shut off so as to give greater pressure of water in the place where the fire has occurred;(d)call on the persons in-charge of any fire-engine to render such assistance as may be possible; and(e)generally, take such measures as may appear necessary for the preservation of life and property.Any damage done on the occasion of fire by members of the [Tamil Nadu Fire Service or of] [Substituted for the words 'Madras Fire Services' by Tamil Nadu Adaptation of Laws Order, 1970.] any fire-brigade or by Police-officers or their assistants in the due execution of their duties shall be deemed to be damaged by fire within the meaning of any policy of insurance against fire. But, nothing in this section shall exempt any officer of Police or any member of the [Tamil Nadu Fire Services or of] [Substituted for the words 'Madras

Fire Services' by Tamil Nadu Adaptation of Laws Order, 1970.] any fire-brigade from liability to damages on account of any acts done by him without reasonable cause.

62. Cost of establishments, etc., for extinguishing fire to be defrayed by the municipality.

- All charges on account of establishments and appliances for extinguishing fire maintained by the Police under the orders of the [State Government] [The words 'Provincial Government' were substituted for the words 'Governor in Council' by the Adaptation Order of 1937 and the word 'State' was substituted for 'Provincial' by Adaptation Order of 1950.] for general use, and all expenses incurred on the occasion of any fire by the Police in the execution of their duty, shall be paid by the Municipal Commissioner for City of [Chennai] [Substituted for the word 'Madras' by City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).] upon the Commissioner certifying the amount thereof.

62A. [Penalty for false alarm of fire. [Inserted by section 2 of the Madras City Police (Second Amendment) Act, 193 (Tamil Nadu Act XIII of 1933).]

- Whoever gives or causes to be given [to any fire-brigade in the City of [Chennai] or to any member thereof or to any member of the Tamil Nadu Fire Services having jurisdiction over the City or any part thereof] whether by means of a street fire-alarm, statement, message or otherwise, any alarm of fire which he knows to be false, shall be liable on conviction to fine which may extend to fifty rupees. Whoever is convicted under the section after having been previously convicted either under this section or under section 43 of the Tamil Nadu District Police Act, 1859 (Central Act XXVI of 1859), shall be liable to simple imprisonment for a period which may extend to six months and shall also liable to fine.]

63. Penalty for wilful trespass.

- Whoever, without reasonable excuse, wilfully enters into or on any dwelling-house or other building, or on any land or ground attached thereto, or on any boat or vessel or on any ground belonging to the Government or appropriated to public purposes, shall be liable on conviction to fine not exceeding twenty rupees.

64. Penalty for being found armed between sunset and sunrise intending to commit an offence, etc.

- Whoever is found between sunset and sunrise -(1)armed with any dangerous instrument with intent to commit an offence, or(2)having his face covered or otherwise disguised with intent to commit an offence, or(3)in any dwelling-house or other building, or on board any vessel or boat, without being able to satisfactorily to account for his presence there, or(4)lying or loitering in any bazaar, yard or public place, being a reputed thief and without being able to give a satisfactory account of himself, or(5)having in his possession without lawful excuse any implement of

house-breaking, may be arrested by any Police-officer without a warrant, and shall be liable on conviction to imprisonment for any term not exceeding three months.

65. Penalty for possession of property believed to have been stolen.

- Whoever is found in possession or is proved to have been in possession of anything which there is reason to believe to be stolen property or property fraudulently obtained and for the possession of which he fails satisfactorily to account, shall be liable on conviction to fine not exceeding one hundred rupees or to imprisonment not exceeding three months.

66. Penalty for buying or taking pledge from a child.

- Whoever, without the knowledge and consent of the owner, buys any article from any child apparently under the age of fourteen years, or takes any article as a pawn, pledge or security for any sum of money lent or advanced to such child shall be liable on conviction to fine not exceeding one hundred rupees.

67. Penalty for introducing spirits, etc., into barracks or on board vessels of war.

- Whoever introduces, or attempts to introduce, into Fort St. George or into any military barracks, guard-room, or encampment or on board any vessel of war belonging to [Government] [Substituted for the word 'Her Majesty' by the Adaptation Order of 1950.] any spirituous or fermented liquor or intoxicating drug or preparation, without the licence in writing of the Commanding Officer and not intended for some person above the rank of Non-Commissioned Officer, shall be liable on conviction to fine not exceeding one hundred rupees or to imprisonment not exceeding two months, and such liquor, drug or preparation, and the vessels containing the same, shall be liable to be forfeited.

68. Penalty for introducing spirits, etc., into hospitals.

- Whoever introduces, or attempts to introduce, without due permission, into any public hospital any spirituous or fermented liquor or intoxicating drug or preparation shall be liable to conviction to fine not exceeding fifty rupees or to imprisonment not exceeding two months.

69. Penalty for carrying weapon without authority.

- Whoever not being a soldier or sailor [in the Indian Army or Navy] [Substituted for the words 'in the army, or navy, of the Queen' by the Adaptation (Amendment) Order, 1950.] or a Police-officer or member of a Volunteer Corps, goes armed with any sword, spear, gun or other offensive weapon in any public place, unless by leave of the Commissioner, shall be liable to be disarmed by any Police-officer, and the weapon so seized shall be forfeited to Government unless redeemed by payment of such fine not exceeding ten rupees as the Commissioner may impose.

70. Penalty for harbouring deserters from vessels.

- Whoever wilfully harbours or conceals any seaman or apprentice belonging to any vessel knowing or having reason to believe such seaman or apprentice to be a deserter, be liable on conviction to fine not exceeding one hundred rupees.

71. Penalty for certain offence in public places.

- Whoever, in any [public place] [Substituted for the words 'public street, road, thoroughfare or place of public resort' by Chennai City Police and Towns Nuisances (Amendment) Act 1941 (Tamil Nadu Act XXIII of 1941) which was permanently re-enacted by Tamil Nadu Re-enacting Act, 1949 (Tamil Nadu Act X of 1949).] commits any of the following offences, shall be liable on conviction to fine not exceeding [two hundred and fifty rupees] [Substituted by Madras City Police (Amendment) Act, 1975 (Tamil Nadu Act 17 of 1975) with effect from 1st July 1975.], or to imprisonment which may extend to [three months] [Substituted by Madras City Police (Amendment) Act, 1975 (Tamil Nadu Act 17 of 1975) with effect from 1st July 1975.]:[Provided that a person convicted for a offence under clause (xvi) shall also be liable to pay by way of compensation to the owner or occupier such amount not exceeding five hundred rupees as the Court may, by order, direct which may, in the opinion of the Court, be reasonably incurred by such owner or occupier in erasing or colour-washing the portion of the public place or any building, monument, statue, effigy, post, wall, fence tree or other erection therein which has been defaced, disfigured, written upon or otherwise marked.] [Proviso was inserted by Tamil Nadu District Police and the Madras City Police (Amendment) Act, 1981 (Tamil Nadu Act 35 of 1981) with effect from 1st August 1982.](i)Rash or negligent driving. - Whoever drives or rides any animal, or drives, drags or pushes any vehicle in a rash or negligent manner.(ii)Causing obstruction by negligence in driving cattle. - Whoever by negligence or ill-usage in driving cattle causes any mischief or obstruction by such cattle.(iii)Driving, etc., elephant or camel without Commissioner's permission. - Whoever drives, rides or leads any elephant or camel without permission from the Commissioner.(iv)[Omitted] [Omitted by section 2 of the Chennai City Police (Amendment) Act, 1940 (Tamil Nadu Act VII of 1940). This Act was permanently re-enacted by section 2 of, and the First Schedule to the Tamil Nadu Re-enacting and Repealing (No. 2) Act, 1948 (Tamil Nadu Act VII of 1948).].(v)[Driving etc., otherwise than in accordance with the rules of road. - Whoever, without reasonable cause, drives, drags or pushes any vehicle otherwise than in accordance with the rules of the road notified, from time to time, by the [State Government] [Clause (v) was substituted by Chennai City Police (Amendment) Act, 1936 (Tamil Nadu Act XX of 1936).] or fails, to obey the directions of Police-officer for the time being in-charge of the regulation of traffic.](vi)Driving, etc., vehicles without springs otherwise than on side of road. - Whoever drives, drags or pushes any vehicle without springs on any road or street except on the side thereof.(vii)Driving, etc., animals or vehicles on afoot-way. - Whoever leads or rides any animal, or drives, drag or pushes any vehicle, upon any foot-way, or fastens any animal so that it can stand across or upon any foot-way.(viii)Permitting cattle or vehicle to be under control of child. - Whoever permits any cattle or vehicle to be under the control of a child under the age of twelve years.(ix)Leaving vehicle or cattle without due control. - Whoever, being in-charge of any vehicle or cattle, leaves it or them at such distance as not to have the same under due control.(x)Exposing for show animal or vehicle, making or repairing vehicle or training horses except as allowed by

Commissioner. - Whoever cleans or exposes for show, hire or sale any animal or vehicle or makes or repairs any part of any vehicle except in cases of accident where repair on the spot is necessary, or trains or breaks any horse except in such places and at such times as may be allowed by the Commissioner.(xi)Obstructing thoroughfare. - Whoever causes any vehicle to remain or stand longer than may be necessary for loading or unloading, except at places appointed for the purpose by the Commissioner, or fastens any horse or other animal so as to cause obstruction; or in any way wilfully obstructs or causes obstruction to the free passage of any thoroughfare.(xii)Letting loose horses or ferocious dogs. - Whoever negligently lets loose any horse, or suffers any ferocious dog to be at large without a muzzle, or sets on or urges any dog or other animal to attack, worry or put in fear any person or cattle.(xiii)Conveying article which projects more than one and a half metres. - Whoever conveys through the streets any article which projects more than [one and a half metres] [The words 'one and a half metre' were inserted by Madras City Police (Amendment) Act, 1975 (Tamil Nadu Act 17 of 1975) with effect from 1st July 1975.] in front or behind the vehicle or vehicles on which it is placed.(xiv)Flying a kite wantonly frightening horse, etc. - Whoever flies a kite or wantonly frightens any horse, or in driving, dragging or pushing any vehicle creates a noise reasonably calculated to cause danger to the persons using the thoroughfare.(xv)Playing music, beating tom-tom, etc. - Whoever beats a drum or tomtom, or blows a horn or trumpet, or beats or sounds any brass or other instrument or utensil [***] [Certain words were omitted by Madras City Police and Tamil Nadu Towns Nuisance (Amendment) Act, 1974 (Tamil Nadu Act 4 of 1975) with effect from 10th March 1975.] [except at such times and places and subject to such conditions as shall be, from time to time, be allowed] [Substituted for the words 'except at such times and places as shall be, from time to time, allowed' by Tamil Nadu Re-enacting Act, 1949 (Tamil Nadu Act X of 1949).] by the Commissioner.(xvi)[[Whoever, whether by himself or by any other person on his behalf] [Clause (xvi) was substituted by Chennai City Police (Amendment) Act, 1936 (Tamil Nadu Act XX of 1936).] without the consent of the owner or occupier, in any manner affixes or causes to be affixed any bill, notice, document, paper or other thing [upon any public place] [Substituted for the words 'upon the public place' by Madras Repealing and Amending Act, 1957 (Tamil Nadu Act XXV of 1957).] or upon any building, monument, statue, effigy, post, wall, fence, tree or other erection therein, or in any manner defaces, disfigures, writes upon or otherwise marks, or causes to be defaced, disfigures, written upon, otherwise marked, [any such [public place] [Substituted for the words 'the public place or any such building' by Madras Repealing and Amending Act, 1957 (Tamil Nadu Act XXV of 1957).] or any such building], monument, statue, effigy, post, wall, fence, tree or erection.](xvii)Bathing in public street. - Whoever bathes or washes himself or any other person, or any animal or clothing, except in a place set apart for such purpose.(xviii)Intruding on or fouling bathing-place. - Whoever obstructs or incommodes a person bathing at any place set apart as a bathing-place by wilful intrusion, or by washing cattle or dogs at or near such place, or in any other way.(xix)Using indecent or threatening language. - Whoever uses any indecent, threatening, abusive or insulting words or behaves in a threatening or insulting manner, or posts up or affixes or exhibits any indecent, threatening, abusive or insulting paper or drawing with intent to provoke a breach of the peace, or whereby a breach of the peace may be occasioned.(xx)Organising assembly without providing petromax lights in addition to electric lights. - Whoever organises any assembly, meeting or procession between sunset and sunrise without providing sufficient petromax lights in addition to electric lights.(xxi)[***] [Clause (xxi) was omitted by section 2 of the Chennai City Police (Amendment) Act, 1941 (Tamil Nadu Act XIII of 1941).]

71A. [Unauthorised use of sound amplifiers in any area. [Section 71-A was inserted by Madras City Police and Tamil Nadu Towns Nuisance (Amendment) Act, 1974 (Tamil Nadu Act 4 of 1975) with effect from 10th March 1975.]

(1)Whoever plays any music or uses any sound amplifier except at such times and in such area and subject to such conditions as shall, from time to time, be allowed by the Commissioner or subject to his orders, any Police Officer above the rank of a Head Constable, shall be liable on conviction to fine not exceeding five hundred rupees or imprisonment which may extend to three months.(2)Any Police-officer referred to in sub-section (1) may, subject to such rules as may be made in this behalf, seize any sound amplifier used in contravention of the terms and conditions of a licence granted under sub-section (1) and the Court trying an offence under this section may also direct the forfeiture of any sound amplifier so seized.]

72. Penalty for gambling or cock fighting in public place.

- Whoever is found gaming with cards, dice counters, money or other instruments of gaming in any [public place] [Substituted for words 'public street, place or thoroughfare' by section 2(vii) of the Chennai City Police and Towns Nuisances (Amendment) Act 1941 (Tamil Nadu Act XXIII of 1941). This Act was permanently re-enacted by section 2(1) of, and the First Schedule to, the Tamil Nadu Re-enacting Act, 1949 (Tamil Nadu Act X of 1949).], or publicly fighting cocks, or present as a spectator of such gaming or cock-fighting, shall be liable on conviction to a fine not exceeding [one hundred rupees] [Substituted by Madras City Police (Amendment) Act, 1975 (Tamil Nadu Act 17 of 1975) with effect from the 1st July 1975.] or to imprisonment not exceeding [three months] [Substituted by Madras City Police (Amendment) Act, 1975 (Tamil Nadu Act 17 of 1975) with effect from the 1st July 1975.] and such instruments of gaming and money shall be forfeited.

73. Penalty for committing nuisance in public place.

- Whoever in or by the side of or near to any [public place] [Substituted for words 'public street, place or thoroughfare' by section 2(vii) of the Chennai City Police and Towns Nuisances (Amendment) Act 1941 (Tamil Nadu Act XXIII of 1941). This Act was permanently re-enacted by section 2(1) of, and the First Schedule to, the Tamil Nadu Re-enacting Act, 1949 (Tamil Nadu Act X of 1949).], wilfully and indecently exposes his person, or commits a nuisance by easing himself, and whoever having the care or custody of any child under seven years of age omits to prevent such child from committing a nuisance as aforesaid, shall be liable on conviction of fine not exceeding fifty rupees.

73A. [Penalty for writing upon streets, etc. [Section 73-A was inserted by Madras City Police and Tamil Nadu District Police (Amendment) Act, 1984 (Tamil Nadu Act 19 of 1984).]

- Whoever, -(i)writes upon or otherwise mark any road, streets or way whether a thoroughfare or not to which the public are granted access or over which they have a right to pass; or(ii)writes upon or otherwise marks any wall; or(iii)causes any such road, street or way or any wall to be written upon or otherwise marked,if such writing or marking offends against decency or morality or promotes on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, disharmony, feelings of enmity or hatred or ill-will between different religious, racial, language or regional groups or castes or communities, shall be liable on conviction to fine not exceeding five hundred rupees or to imprisonment which may extend to three months or with both.]

74. Penalty for lighting bonfire, burning straw, [drawing, carrying, dragging or burning any effigy] [Inserted by Madras City Police (Amendment) Act, 1961 (Tamil Nadu Act 37 of 1961).], discharging fire-arm, etc., in or near any public place.

- Whoever, except at such times and places as the Commissioner may allow, in or near any [public place] [Substituted for words 'public street, place or thoroughfare' by section 2(vii) of the Chennai City Police and Towns Nuisances (Amendment) Act 1941 (Tamil Nadu Act XXIII of 1941). This Act was permanently re-enacted by section 2(1) of, and the First Schedule to, the Tamil Nadu Re-enacting Act, 1949 (Tamil Nadu Act X of 1949).] lights any bonfire, sets fire to or burns any straw or other matter, or draws, carries, drags, or bums any effigy or discharges any fire-arm or air-gun, lets off or discharges any firework, or sends up any fire-balloon, or permits such act to be done in premises over which he has control, shall be liable on conviction to fine not exceeding fifty rupees. In the event of any such act being done within any private premises, the person having the immediate control of such premises shall be deemed to have permitted the act, unless he can prove that the act was committed without his knowledge.

75. [Penalty for drunkenness or riotous or indecent behaviour in public place. [Substituted by Madras City Police-(Amendment) Act, 1975 (Tamil Nadu Act 17 of 1975) with effect from 1st July 1975.]

(1)Whoever, in any public place, office, station-house or Court, or in any place of public amusement or on board of any passenger boat or vessel, is -(a)found drunk and incapable of taking care of himself; or(b)found drunk and under the influence of liquor or drug; or(c)found behaving in a violent or boisterous or disorderly or riotous or indecent manner or using any threatening, abusive or insulting words which causes or is likely to cause a breach of public peace shall be liable, on conviction, to imprisonment not exceeding six months or fine not exceeding one thousand rupees.(2)Whoever is -(a)found drunk and behaving in a violent or riotous or indecent manner in a private place, or causing nuisance or annoyance to the public or to neighbours; or(b)found drunk and under the influence of liquor or drug while driving or riding a vehicle, shall be liable on conviction to imprisonment not exceeding six months or fine not exceeding one thousand rupees.]

76. [Power to cancel or suspend any licence and penalty for breach of conditions of licences. [Substituted for the original section 76 by Madras City Police (Amendment) Act, 1961 (Tamil Nadu Act 37 of 1961).]

(1)The Commissioner may, at any time and for reasons to be recorded in writing, cancel or suspend any licence granted under this Act:Provided that no such cancellation or suspension shall be ordered unless the holder of the licence has been given a reasonable opportunity of showing cause against the order proposed to be made in regard to him.[(1-A) Notwithstanding anything contained in the proviso to sub-section (1), in so far as it relates to suspension of any licence granted under this Act, where a prima facie case has been made out, the Commissioner may, at any time and for the reasons to be recorded in writing, suspend any licence granted under this Act and in such a case no show cause notice is necessary.](2)In the event of breach by the holder of a licence granted under this Act or by his servants or by anyone acting or purporting to act with his express or implied permission on his behalf, of any of the conditions of such licence, such holder shall, in addition to the cancellation or suspension of the licence granted to him, be liable on conviction to a fine not exceeding one hundred rupees.(3)Any person who commits any such breach shall, whether he acts with or without the permission of the holder of the licence, be liable to the same punishment.]

77. Fee for licence.

- For every licence or permission granted under this Act, the Commissioner may levy such fee not exceeding [seventy-five rupees] [Substituted-by Chennai City Police (Amendment) Act, 1979 (Tamil Nadu Act 63 of 1979) with effect from 1st March 1980.] as may, from time to time, be fixed by the [State Government] [The words 'Provincial Government' were substituted for the words 'Governor in Council' by the Adaptation Order of 1937 and the words 'State' was substituted for the word 'Provincial' by the Adaptation Order of 1950.].

78. Power to make by-laws.

- The [State Government] [The words 'Provincial Government' were substituted for the words 'Governor in Council' by the Adaptation Order of 1937 and the words 'State' was substituted for the word 'Provincial' by the Adaptation Order of 1950.] may make bye-laws consistent with this Act for more effectually carrying out the objects thereof and for the preservation of order, and may, from time to time, repeal, alter or amend any such by-law.

79. By-laws to be published in English and vernacular.

- Every by-law shall be published in the [Official Gazette] [Substituted for the words 'Fort St. George Gazette' by the Adaptation of Laws Order of 1937. Now, the Tamil Nadu Government Gazette.] in English, Tamil, Telugu and Hindustani; and no by-law shall have effect until the expiration of one month from the date of its first publication in the [Official Gazette.] [The words 'Provincial Government' were substituted for the words 'Governor in Council' by the Adaptation Order of 1937 and the words 'State ' was substituted for the word 'Provincial ' by the Adaptation Order of 1950.]

80. Penalty for breach of by-law.

- For any breach of any such by-law, the offender shall be liable on conviction to fine not exceeding ten rupees or to imprisonment not exceeding one week.

81. Limitation of actions.

- On account of [anything done or intended to be done under the provisions of this Act, or under the provisions of any other law for the time being in force conferring powers on the police] [Substituted for the words 'anything done either under the provisions of any other law for the time being in force, conferring powers on the Police' by Tamil Nadu City Police and District Police (Amendment) Act, 1947 (Tamil Nadu Act VIII of 1947).], no action shall be brought after the expiration of six months, and no prosecution shall be instituted after the expiration of three months, from the date on which the act complained of shall have been committed. And no action shall lie in respect of any act on account of which a criminal prosecution [has been instituted and has failed.] [Substituted for the words 'has been instituted and failed' by section 3(1) of, and the Second Schedule to, the Tamil Nadu Repealing and Amending Act, 1951 (Tamil Nadu Act XIV of 1951).]

82. Saving of penalty provided by other law.

- Nothing in this Act contained shall be construed to prevent any person from being liable under any other law to any other higher punishment than is provided by this Act: Provided that no person shall be punished twice for the same offence.

Schedule

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