IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.03.2020

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No. 6038 of 2020

Sukumar ... Petitioner

Vs

1. The District Superintendent of Police,
   Ranipet District,
   Ranipet.

2. State rep. By
   The Inspector of Police,
   Arakkonam Town Police Station,
   Arakkonam, Ranipet District. ... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents police to grant protection and police permission for conducting "Cock Fight" (சேவல் சண்டை) at Kavanoor, Arrakkonam Taluk, Ranipet District on 11.04.2020, 12.04.2020 and 13.04.2020 to petitioner according to his complaint dated 03.03.2020.

For Petitioner : Mr.D.Dhayanithi

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondents police to grant permission and police protection for conducting "Cock Fight" (சேவல் சண்டை) at Kavanoor, Arrakkonam Taluk, Ranipet District on 11.04.2020, 12.04.2020 and 13.04.2020 to petitioner according to his complaint dated 03.03.2020.

2. It is seen from the records that the Cock fight is being organized during this month traditionally in this village. Even recently in similar case, one, Mr.Lakshmanasamy had approached this Court and this Court, by an order dated 10.01.2019 made in Crl.O.P.No.489 of 2019 had granted permission by imposing certain conditions.

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3.The learned Counsel for the petitioner submitted that last year the event was conducted in a peaceful manner. Therefore, the petitioner has also sought for permission to the respondents police to permit them to conduct the cock fight even this year also. Since, no order has been passed by the respondents police, the present petition has been filed.

4.The learned Additional Public Prosecutor, on instructions, would submit that the event during last year, went on peacefully. The learned counsel would therefore, submit that apart from the conditions imposed earlier, this Court may also impose an additional condition, forbearing the petitioner and others, not to indulge in any gambling during the event.

5.Considering the facts and circumstances of the case, this Court is of the considered view that the respondent police can be directed to grant permission and give police protection for the event subject to the following conditions:

(i)It is made clear that such an event shall be supervised by the respondent as well as by the veterinary doctor of nearby Government Veterinary Hospital.

(ii)It is further made clear that during the course of conducting 'Cock Fight', there should not be any injury to be caused to the birds and the birds should not be intoxicated with any alcoholic substance and no knives should be tied around the legs of the birds, with the tip of the knives dipped in poisonous substances. The veterinary doctor shall ensure the same before the actual starting of the event.

(iii)The petitioner shall bear the expenses towards police protection as well as the expenses towards the Veterinary doctor.

(iv)It is made clear that the organizer should take pre-cautionary measures to avoid any untoward incident while conducting the event of cock-fight.

(v)Songs praising communal leader or having communal overtones should not be played.

(vi)The petitioner will ensure that no flex board or hoardings depicting particular community or leader is displayed.

(vii)All the above terms and conditions should be followed scrupulously by the petitioner and the petitioner shall file an affidavit of undertaking to the said effect before the respondents.

(viii)The petitioner volunteers to donate a sum of Rs.5,000/- (Rupees five thousand only) to any one of the Orphanages in the District and payment of proof shall be produced before the respondent.

(ix)No one is allowed to enter, except the owner of the birds which are going to participate in the event.

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(x)There is a separate place allocated for the spectators.

(xi)According to the conditions, eligible birds are only allowed to participate in the event. If there is any certain objections being raised, it is taken to the concerned police office to take a decision.

(xii)It is also made clear that neither the petitioner nor any of the parties/participants shall indulge in any gambling activities.

6. It is made clear that the aforesaid conditions shall be strictly followed during the event and if there is any violation, it is open to the respondents police to take action immediately in accordance with law.

7.This Criminal Original Petition is allowed with a direction to the respondents police to permit the petitioner and to give police protection to the cock fight event which is to be conducted on 11.04.2020, 12.04.2020 and 13.04.2020 by the petitioner subject to the above conditions.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The District Superintendent of Police,
   Ranipet District,
   Ranipet.

2. The Inspector of Police,
   Arakkonam Town Police Station,
   Arakkonam, Ranipet District

3.The Public Prosecutor,
  High Court, Madras.

+1cc to Mr.N.Naresh, Advocate Sr.22851

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