

(2018) 01 KAR CK 0119
In the Karnataka High Court
Case No : 58495 of 2017

M/s.Bambino Members Cultural Association
Vs

APPELLANT

The State of Karnataka & Ors.

RESPONDENT

Date of Decision : 03-01-2018

Acts Referred:

Citation : (2018) 01 KAR CK 0119

Hon'ble Judges : A.S.Bopanna

Bench : Single Bench

Advocate : Raju S., K.P.Yoganna

Judgement

1. Learned Government Advocate to accept notice for respondents No.1 to 6 and file memo of appearance in four weeks.

2. The petitioner is before this Court seeking for issue of mandamus or any other appropriate writ in the manner as has been sought in the petition.

3. The issue which has been raised in the instant petition has already been considered by this Court in W.P.No.30071/2014 dated 15-10-2014 (

The Media N Members Club vs. State of Karnataka and Others) wherein the petition was disposed of with the following directions:-

(i) The petitioner shall install within a period of six weeks, CC TV cameras, at all the places of access to its members and also at all the places,

wherein games(s) is / are played by the members. The CC TV footage of atleast prior 15 days" period shall be made available by the petitioner, to

the police, as and when called upon to do so.

(ii) The petitioner shall issue identity card(s) to all its member(s), which shall be produced by the member(s), when called upon by the police,

during the raid(s) and surveillance etc.

(iii) The petitioner shall not allow any non-member(s) or the guest(s) of the member(s), to make use of its premises for the purpose of playing any kind of game(s) or recreational activities.

(iv) The petitioner shall not permit any activity by any of its member(s), by indulging in acts of amusement, falling within the definition of Ss.2(14) &

2(15) of the Act and shall not permit any game(s) of chance as per Explanation (II) of Sub-section (7) of Section 2 of Karnataka Police Act,

1963. The member(s) shall not be allowed to play any kind of game(s) with stakes or make any profit or gain out of the game(s) played.

(v) The petitioner shall put proper mechanism in place and shall ensure that no game(s) is played in any unlawful manner by the member(s). If the

police find that game(s) played is contrary to any law and in violation of the settled practice, it is open to them to take action against petitioner and

the offenders, in accordance with law.

(vi) The jurisdictional police shall have liberty to visit premises periodically and/or on receipt of any information about any unlawful activity being

carried on in the petitioner's premises.

(vii) The respondents are directed not to interfere with the lawful recreational activities carried on by the members of the petitioner - Club /

Association.

(viii) It is made clear that this order would not come in the way of the jurisdictional police invoking the provisions of the Act and taking action in

accordance with law, if the member(s) of the petitioner are found to have indulged in any unlawful or immoral activities.

This writ petition is also disposed of in the aforesaid terms.