

LAW 314: LAW OF CRIMES II, FACILITATING BY S.M. SAIFUL HAQUE

OFFENCES AFFECTING THE
PUBLIC HEALTH, SAFETY,
CONVENIENCE, DECENCY
AND MORALS

Session 02: OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY AND MORALS.

Topics to Be Covered General Instruction

1. General Instruction
2. Brief Ideas on offences affecting public health
3. Offences affecting public safety and convenience
4. Offences affecting decency and morals
5. Provisions of the Law of Crimes (Substantive) in BD

BE THE CHANGE

YOU WANT TO SEE

IN THE WORLD.

Mahatma Gandhi – Civil Rights Activist



Contents in line to the Penal Code-1860

• 268. Public nuisance

• 269. Negligent act likely to spread infection of disease dangerous to life

• 270. Malignant act likely to spread infection of disease dangerous to life

• 271. Disobedience to quarantine rule

• 272. Adulteration of food or drink intended for sale

• 273. Sale of noxious food or drink

• 274. Adulteration of drugs

• 275. Sale of adulterated drugs

• 276. Sale of drug as a different drug or preparation

• 277. Fouling water or public spring or reservoir

• 278. Making atmosphere noxious to health

• 279. Rash driving or riding on a public way

• 280. Rash navigation of vessel

• 281. Exhibition of false light, mark or buoy

• 282. Conveying person by water for hire in unsafe or over-loaded

vessel

• 283. Danger or obstruction in public way or line of navigation

• 284. Negligent conduct with respect to poisonous substance

• 285. Negligent conduct with respect to fire or combustible matter

• 286. Negligent conduct with respect to explosive substance

• 287. Negligent conduct with respect to machinery

• 288. Negligent conduct with respect to pulling down or repairing buildings

• 289. Negligent conduct with respect to animal

• 290. Punishment for public nuisance in cases not otherwise provided for

• 291. Continuance of nuisance after injunction to discontinue


• 292. Sale, etc., of obscene books, etc.

• 293. Sale, etc., of obscene objects to young person

• 294. Obscene acts and songs

• 294A. Keeping lottery-office

• 294B. Offering of prize in connection with trade, etc.



水滴石穿，绳锯木断

**WATER DROPS PIERCE STONE;
ROPE SAWS CUT WOOD.**

Chinese Saying

2. Offences affecting public health

1. Public nuisance -268
 2. Acts likely spread infection – 269-271
 3. Adulteration of food or drinks -271-273
 4. Adulteration of drugs 274-276
 5. Fouling water and vitiating atmosphere -277
- 10 offences under five above heads ! Lets explore !1

Public Nuisance 268

- 268. A person is guilty of a public nuisance who does any act or is guilty of an illegal omission which causes any common injury, danger or annoyance to the public or to the people in general who dwell or occupy property in the vicinity, or which must necessarily cause injury, obstruction, dangers or annoyance to persons who may have occasion to use any public right.
- A common nuisance is not excused on the ground that it causes some convenience or advantage.

Negligent act likely to spread infection of disease dangerous to life

- 269. Whoever unlawfully or negligently does any act which is, and which he knows or has reason to believe to be, likely to spread the infection of any disease dangerous to life, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine, or with both.

সংক্রামক রোগ (প্রতিরোধ, নিয়ন্ত্রণ ও নির্মূল) আইন, ২০১৮

Malignant act likely to spread infection of disease dangerous to life

- 270. Whoever maliciously does any act which is, and which he knows or has reason to believe to be, likely to spread the infection of any disease dangerous to life, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Disobedience to quarantine rule

- 271. Whoever knowingly disobeys any rule made and promulgated by the Government for putting any vessel into a state of quarantine, or for regulating the intercourse of vessels in a state of quarantine with the shore or with other vessels, or for regulating the intercourse between places where an infectious disease prevails and other places, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine, or with both.

Adulteration of food or drink intended for sale

- 272. Whoever adulterates any article of food or drink, so as to make such article noxious as food or drink, intending to sell such article as food or drink, or knowing it to be likely that the same will be sold as food or drink, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand taka, or with both.

Sale of noxious food or drink

- 273. Whoever sells, or offers or exposes for sale, as food or drink, any article which has been rendered or has become noxious, or is in a state unfit for food or drink, knowing or having reason to believe that the same is noxious as food or drink, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand taka, or with both.

Adulteration of drugs

- 274. Whoever adulterates any drug or medical preparation in such a manner as to lessen the efficacy or change the operation of such drug or medical preparation, or to make it noxious, intending that it shall be sold or used for, or knowing it to be likely that it will be sold or used for, any medicinal purpose, as if it had not undergone such adulteration, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand taka, or with both.

Sale of adulterated drugs

- 275. Whoever, knowing any drug or medical preparation to have been adulterated in such a manner as to lessen its efficacy, to change its operation, or to render it noxious, sells the same, or offers or exposes it for sale, or issues it from any dispensary for medicinal purposes as unadulterated, or causes it to be used for medicinal purposes by any person not knowing of the adulteration, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand taka, or with both.

Sale of drug as a different drug or preparation

- 276. Whoever knowingly sells, or offers or exposes for sale, or issues from a dispensary for medicinal purposes, any drug or medicinal preparation, as a different drug or medical preparation, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand taka, or with both.

Fouling water or public spring or reservoir

- 277. Whoever voluntarily corrupts or fouls the water of any public spring or reservoir, so as to render it less fit for the purpose for which it is ordinarily used, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to five hundred taka or with both.

Making atmosphere noxious to health

- 278. Whoever voluntarily vitiates the atmosphere in any place so as to make it noxious to the health of persons in general dwelling or carrying on business in the neighborhood or passing along a public way, shall be punished with fine which may extend to five hundred taka.



THERE IS NOT A PARTICLE OF LIFE WHICH DOES NOT BEAR

POETRY WITHIN IT.

Gustav Flaubert – French Novelist

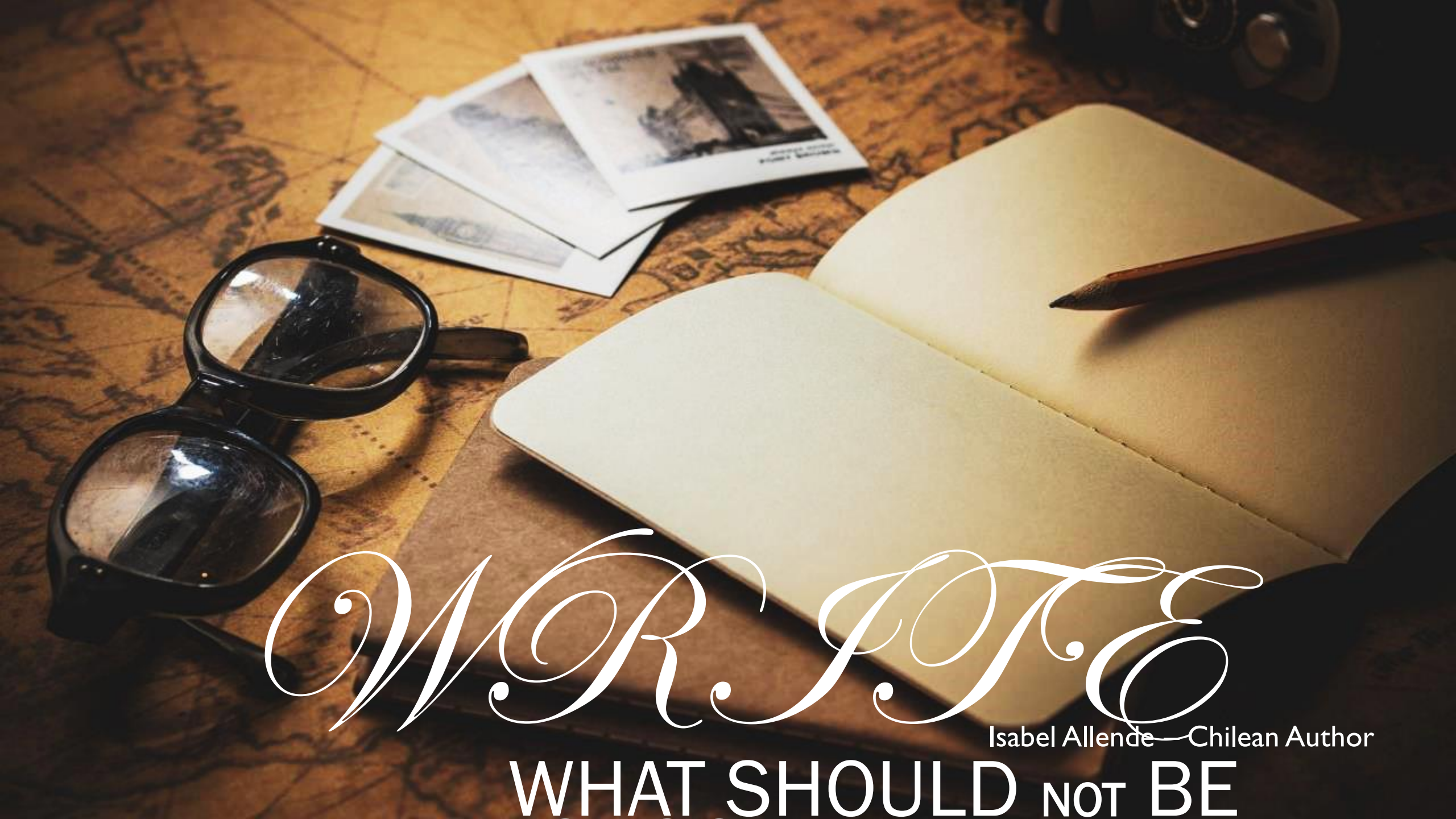
3. Offences affecting public safety and convenience

Rash driving or riding on a public way -279

- 279. Whoever drives any vehicle, or rides, on any public way in a manner so rash or negligent as to endanger human life, or to be likely to cause hurt or injury to any other person, shall be punished with imprisonment of either description for a term which may extend to ⁸⁹[three years, or with fine which may, subject to the minimum of one thousand taka, extend to five thousand taka] or with both.

Rash navigation of vessel

- 280. Whoever navigates any vessel in a manner so rash or negligent as to endanger human life, or to be likely to cause hurt or injury to any other person, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand taka, or with both.



MR. PTE

Isabel Allende — Chilean Author

WHAT SHOULD NOT BE

Sec. 281. Exhibition of false light, mark or buoy.

Whoever exhibits any false light, mark or buoy, intending or knowing it to be likely that such exhibition will mislead any navigator, shall be punished with imprisonment of either description for a term which may extend to seven years or with fine or with both.

Sec. 282. Conveying person by water for hire in unsafe or over-loaded vessel.

Whoever knowingly or negligently conveys, or causes to be conveyed for, hire, any person by water in any vessel, when that vessel is in such a state or so loaded as to endanger the life of that person, shall be punished with imprisonment of either description for a term which may extend to six months or with fine which may extend to one thousand taka or with both.

Sec. 283. Danger or obstruction in public way or line of navigation.

Whoever, by doing any act, or by omitting to take order with any property in his possession or under his charge, causes danger, obstruction or injury to any person in any public way or public line of navigation, shall be punished with fine which may extend to two hundred taka.

A surreal landscape with a pink tree on the left, a girl in a white dress holding a string of pink balloons on the right, and a path leading towards a bright sun in the center. The sky is filled with soft, golden light and falling pink petals. The overall mood is dreamlike and hopeful.

SURELY **SOMETHING** RESIDES IN THIS HEART THAT IS
NOT PERISHABLE
AND LIFE IS MORE THAN A
DREAM.

Mary Wollstonecraft – British Philosopher & Feminist

Sec. 284. Negligent conduct with respect to poisonous substance.

Whoever does, with any poisonous substance, any act in a manner so rash or negligent as to endanger human life, or to be likely to cause hurt or injury to any person,

or knowingly or negligently omits to take such order with any poisonous substance in his possession as is sufficient to guard against probable danger to human life from such poisonous substance,

shall be punished with imprisonment of either description for a term which may extend to six months or with fine, which may extend to one thousand taka or with both.

Sec. 285. Negligent conduct with respect to fire or combustible matter.—Whoever does, with fire or any combustible matter, any act so rashly or negligently as to endanger human life or to be likely to cause hurt or injury to any other person,

or knowingly or negligently omits to take such order with any fire or any combustible matter in his possession as is sufficient to guard against any probable danger to human life from such fire or combustible matter,

shall be punished with imprisonment of either description for a term which may extend to six months or with fine which may extend to one thousand taka or with both.

SOMETIMES **DREAMS**
are **wiser** than waking.

Black Elk – Oglala Sioux Medicine Man

Sec. 286. Negligent conduct with respect to explosive substance.

Whoever does, with any explosive substance, any act so rashly or negligently as to endanger human life or to be likely to cause hurt or injury to any other person, or knowingly or negligently omits to take such order with any explosive substance in his possession as is sufficient to guard against any probable danger to human life from that substance, shall be punished with imprisonment of either description for a term which may extend to six months or with fine which may extend to one thousand taka or with both.

Sec. 287. Negligent conduct with respect to machinery.

Whoever does, with any machinery, any act so rashly or negligently as to endanger human life or to be likely to cause hurt or injury to any other person, or knowingly or negligently omits to take such order with any machinery in his possession or under his care as is sufficient to guard against any probable danger to human life from such machinery, shall be punished with imprisonment of either description for a term which may extend to six months or with fine which may extend to one thousand taka or with both.

A photograph of a dense forest with large, gnarled trees and a path leading into the distance. The lighting is warm and golden, suggesting late afternoon or early morning. The text is overlaid on the image.

WE CAN ONLY SEE A ~~SHORT~~ DISTANCE AHEAD,
BUT WE CAN SEE

~~PLENTY~~

THERE THAT NEEDS TO BE DONE.

Alan Turing – British Computer Scientist

Sec. 288. Negligent conduct with respect to pulling down or repairing buildings.

Whoever, in pulling down or repairing any building, knowingly or negligently omits to take such order with that building as is sufficient to guard against any probable danger to human life from the fall of that building or of any part thereof, shall be punished with imprisonment of either description for a term which may extend to six months or with fine which may extend to one thousand taka or with both.

Sec. 289. Negligent conduct with respect to animal.

Whoever knowingly or negligently omits to take such order with any animal in his possession as is sufficient to guard against any probable danger to human life or any probable danger of grievous hurt from such animal, shall be punished with imprisonment of either description for a term which may extend to six months or with fine which may extend to one thousand taka or with both.

Sec. 290. Punishment for public nuisance in cases not otherwise provided for.

Whoever commits a public nuisance in any case not otherwise punishable by this Code, shall be punished with fine which may extend to two hundred taka.

IF YOU ARE ALWAYS TRYING TO BE NORMAL,
YOU WILL NEVER KNOW HOW

AMAZING

YOU CAN BE.

Maya Angelou – American Poet

Sec. 291. Continuance of nuisance after injunction to discontinue. Whoever repeats or continues a public nuisance, having been enjoined by any public servant who has lawful authority to issue such injunction not to repeat or continue such nuisance, shall be punished with simple imprisonment for a term which may extend to six months or with fine or with both.

Sec. 292. Sale, etc, of obscene books, etc. Whoever

(a) sells, lets to hire, distributes, publicly exhibits or in any manner puts into circulation or for purposes of sale, hire, distribution, public exhibition or circulation, makes, produces or has in his possession any obscene book, pamphlet, paper, drawing, painting, representation or figure or any other obscene object whatsoever or

(b) imports, exports or conveys any obscene object for any of the purposes aforesaid or knowing or having reason to believe that such object will be sold, let to hire, distributed or publicly exhibited or in any manner put into circulation or

(c) takes part in or receives profits from any business in the course of which he knows or has reason to believe that any such obscene objects are, for any of the purposes aforesaid, made, produced, purchased, kept, imported, exported, conveyed, publicly exhibited or in any manner put into circulation or

(d) advertises or makes known by any means whatsoever that any person is engaged or is ready to engage in any act which is an offence under this section or that any such obscene object can be procured from or through any person or

(e) offers or attempts to do any act which is an offence under this section,

shall be punished with imprisonment of either description for a term which may extend to three months or with fine or with both. **Exception.-** This section does not extend to any book, pamphlet, writing, drawing or painting kept or used bona fide for religious purposes or any representation sculptured, engraved, painted or otherwise represented on or in any temple or on any car used for the conveyance of idols or kept or used for any religious purpose.

Sec. 293. Sale, etc, of obscene objects to young person. Whoever sells, lets to hire, distributes, exhibits or circulates to any person under the age of twenty years any such obscene object as is referred to in the last preceding section or offers or attempts so to do, shall be punished with imprisonment of either description for a term which may extend to six months or with fine, or with both.

IF YOU CAN'T FLY, THEN **RUN**.
IF YOU CAN'T RUN, THEN **WALK**.
IF YOU CAN'T WALK, THEN **CRAWL**.

BUT WHATEVER YOU DO,
YOU HAVE TO KEEP MOVING.



Martin Luther King, Jr. – Civil Rights Activist and Pastor

Sec. 294. Obscene acts and songs.

Whoever, to the annoyance of others,

(a) does any obscene act in any public place, or

(b) sings, recites or utters any obscene songs, ballad or words, in or near any public place,

shall be punished with imprisonment of either description for a term which may extend to three months or with fine or with both.

Sec. 294A. Keeping lottery-office.

Whoever keeps any office or place for the purpose of drawing any lottery not being a State lottery or a lottery authorized by the Government shall be punished with imprisonment of either description for a term which may extend to six months, or with fine, or with both. And whoever publishes any proposal to pay any sum, or to deliver any goods or to do or forbear doing anything for the benefit of any person, on any event or contingency relative or applicable to the drawing of any ticket, lot, number or figure in any such lottery shall be punished with fine which may extend to one thousand taka.

Sec. 294B. Offering of prize in connection with trade, etc.

Whoever offers, or undertakes to offer, in connection with any trade or business or sale of any commodity, any prize, reward or other similar consideration, by whatever name called, whether in money or kind, against any coupon, ticket, number or figure or by any other device, as an inducement or encouragement to trade or business or to the buying of any commodity or for the purpose of advertisement or popularising any commodity, and whoever publishes any such offer, shall be punishable with imprisonment of either description for a term which may extend to six months, or with fine,² or with both.



TA TA FOR TODAY