

Obscene acts and songs [S.294]

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.

Section 294 punishes (a) doing any obscene act in public to the annoyance of others, or (b) singing, reciting or uttering any obscene songs, ballad or words in or near any public place to the annoyance of others.

Annoyance

To annoy is to disturb or to irritate by repeated acts. It implies a wearing down of nerves by persistent petty unpleasantness. It is different from vexing, irking or bothering. Vexing implies greater provocation and stronger disturbance and usually connotes anger but sometimes perplexity or anxiety. Irk stresses difficulty in enduring and resulting in weariness or impatience of spirit while bother may imply either be wildering or upsetting but always suggests interference with comfort or peace of mind. Annoyance therefore connotes the state of feeling of being annoyed; it may be a source of vexation or irritation or a nuisance. Annoyance must be caused to the members of the public and this is the main point in Section 294. Using abusive and obscene words against complainant amount to annoyance because annoyance is a mental condition and is inferred by the court from the proved facts.

FOR LL.B 3YEARS SECOND SEMESTER: Dr.Vinita Kacher

