



**GOVERNMENT OF KARNATAKA**  
**(Police Department)**

No.03/MAG (2)/PBO/2015

Office of the Commissioner of Police  
Bengaluru City

Dated: 31-01-2015

**Sub : Issue of Prohibitory order under section 144(3) Cr.P.C. directing Sri. Praveen Togadia, International Working President, VHP not to enter into the Police Commissionerate limits of Bengaluru City for 07 days: reg.**

**Ref :**

1. Report of Deputy Commissioner of Police South Division. **No.SB/BB/10/DCP(S)/15 Dated: 28-01-2015.**
2. Report of Deputy Commissioner of Police, Intelligence, Bengaluru city, **No: DCP/INT/07/2015 Dated: 29-01-2015.**

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**PREAMBLE**

Whereas the Deputy Commissioner of Police South Division and Deputy Commissioner of Police Intelligence, Bengaluru City in their reports in reference have reported that:

1. The Vishwa Hindu Parishad (VHP) Swrana Jayanthi Utsava Samithi, Shanakarpur, Bengaluru-560004 is organizing “**Virat Hindu Samajothsava**” on 08-02-2015 at National College Ground, Basavanagudi, Bengaluru. The organizers have informed us that the gathering would be addressed by Shri. Praveen Togadia, International Working President, VHP. A large number of followers of VHP, Bajaranga Dal and Srirama Sena of Bengaluru City, Bengaluru Rural, Tumkur, Kolar, Ramanagar District and other neighbouring areas are expected to actively participate. The VHP unit of Bengaluru City has

approached the DCP, South Division for permission to conduct the said event.

2. Bengaluru City being IT Capital has heterogenous cosmopolitan culture and is having mixed demography of various communities like Hindu, Muslim and Christian. In the recent past, incidents having communal overtones have been reported in districts like Belagavi, Mangaluru and Vijaypur of Karnataka State. As a result, this City is being considered and rightly so communally sensitive.
3. Dr. Praveen Bhai Togadia R/o House No. 50, Vaibhav Bunglow, Part-3, Near Gulab Tower, Sarkhej-Gandhinagar Highway, Ahmedabad is a medical practitioner by profession and is the International Working President of VHP. He is a staunch proponent of the Hindutva ideology and is known for his provocative and inflammatory speeches against certain sections of society.
4. In spite of the strong protest against his provocative and inflammatory speeches from the public throughout the country, Shri. Praveen Togadia continues to make such speeches hurting religious sentiments of other communities.
5. In many parts of the country, police have registered complaints against Shri. Praveen Togadia for making inflammatory statements and showing disrespect to the Constitution of India. According to Ministry of Home Affairs, Government of India, till August 2014, a total number of 19 criminal cases have been booked against him in different states across the country.
6. On 18-12-2002 at Chikkamagaluru, Shri. Praveen Togadia made a provocative speech during the "Communal Harmony Meet" on the occasion of Datta Jayanthi. A case against him was registered in Crime No. 256/2002 u/s 143, 504, 153(A), 295(A), 124(A) r/w 149 at Chikkamagluru Town Police Station.
7. On 13-02-2003, Mangalore District Administration had passed a prohibitory order against the visit of Shri. Togadia u/s 144(3) of Cr.P.C. apprehending breach of peace by his visit and provocative speech. The said prohibitory order was challenged in Hon'ble High Court of Karnataka. The Hon'ble High Court of Karnataka had modified this order by placing certain restrictions on Shri. Praveen Togadia.

8. On similar lines, The District Administration of Belgaum had passed a prohibitory order under 144(3) of Cr.P.C. which was again modified by the Hon'ble High Court of Karnataka with certain restrictions. In spite of this Shri. Togadia delivered an inflammatory speech on 06-02-2003. As a result, a case was registered against Shri. Praveen Togadia and others in Camp PS in Crime No. 10/2003 u/s 153(A), 153(B), 295(A) IPC. Moreover, after the said speech, incidents of stone pelting and communal disturbance were reported in the city and 2 cases were registered in Khadebazar Police Station Cr. No34/2003 and 36/2003 u/s 143, 147, 148, 324, 341, 427 r/w 149 IPC.
9. The District Administration of Bijapur on 24-07-2003 had passed Prohibitory Order u/s 144 (3) of Cr.P.C. against Shri. Praveen Togadia not to enter revenue limits of Bijapur District in view of VHP Public meeting on 27-07-2013. The Said Order was again challenged in Hon'ble High Court of Karnataka and order was modified by allowing him to enter revenue limits of district by placing certain restrictions. In spite of Hon'ble High Court directions Sri Togadia delivered inflammatory speech as consequent to which a case registered at APMC PS Cr.No: 69/03 u/s:153A, 153B, 295 IPC.
10. As per Home Ministry data, in January 2013, a criminal complaint was filed against Sri.Togadia in Bhopal for allegedly making comments about disenfranchising Muslims and not allowing them to hold constitutional posts.
11. Similarly, in January 2013, a case has been filed at Saidabad Police Station of Andhra Pradesh state in Cr.No:28/2013 u/s 153 (A) IPC against Sri. Praveen Togadia by the police for allegedly making inflammatory statements during his visit to Hyderabad. He visited Hyderabad city when it was tense over the Bhagyalakshmi temple row, and made provocative statements against the minority community near Charminar.
12. In April 2013, a case has been registered against Sri. Praveen Togadia at Kanchanbagh PS of Andhra Pradesh state in Cr.No: 52/13 u/s 153A, 295A 298,505 IPC and 156(3) CrPC for his hate comments and speech.
13. In February 2014, Nanded District Police of Maharashtra state registered a case against Vishwa Hindu Parishad (VHP) leader Praveen

Togadia for making a hate speech at Bhokar PS Cr No. 21/2013 u/s 153A, 295A, 505(2) IPC.

14. In April 2014, Shri. Togadia allegedly asked his supporters and people of a housing society in Bhavnagar to forcibly occupy a house purchased by a Muslim in a Hindu majority area. Sri. Togadia had also allegedly told the gathering, mainly comprising local residents and Bajrang Dal workers, that they should give an ultimatum of 48 hours to the Muslim occupant to vacate his house or else they should storm it, take possession and put up a Bajrang Dal board. Togadia's speech had sparked a controversy during the general elections. He had allegedly made the 'hate speech' when the Model Code of Conduct was in force. A case in Cr.No: 73/2014 u/s 153A, 153B, 188 IPC in Ghogharoad PS of Gujarat State was registered.
15. On 16-01-2015 VHP organized "Hindu Hrudhya Sangama" a public meeting at Puttur in Dakshina Kannada district. Sri Praveen Togadia was the chief guest. Dr Kalladka Prabhakar, RSS leader, delivered hate speech against certain sections of society (Case registered in Puttur Town PS Cr.No: 07/15 u/s 153A, 505(2) IPC). Inspired and ignited by the speech, supporters of VHP, while dispersing from venue, gathered in large number and confronted with members of other community. This led to riots in Uppinangdi. A total of 30 cases were registered in this regard.
16. On 29th January 2015, West Bengal Police registered a case against Sri Praveen Togadia at Rampurhat PS Cr.No:17/2015 u/s: 153A, 295,298,505(2) IPC in connection with alleged hate speeches at Rampurhat and at Kharmadanga village.
17. Provocative and inflammatory speeches of Shri. Praveen Togadia towards which he is habitually & ideologically inclined would have sufficiently grave consequences and there is every likelihood of breach of peace, danger to human life and disturbance of the public tranquility and communal harmony in the Bengaluru city. Hence, avoiding the emerging situation and prohibiting Shri. Praveen Togadia from entering into the Police Commissionerate limits of Bengaluru City is felt absolutely necessary.

Whereas I have examined the report of the Deputy Commissioner of Police, South Division in detail along with all the documents enclosed therein, examined the report of Deputy Commissioner of Police, Intelligence, discussed with the Deputy Commissioner of Police, South Division, my other subordinate officers and general public about the effect the proposed "**Virat Hindu Samajothsava**" would have on the existing fragile situation if allowed without any restrictions.

Whereas I am satisfied, after all these deliberations that provocative and inflammatory speeches of Shri. Praveen Togadia to which he is habitually inclined would have sufficiently grave consequences.

Whereas I am convinced that there is every likelihood of disturbance of public tranquility and communal harmony in Bengaluru city if the speech by Shri. Praveen Togadia is not prevented.

Whereas I am convinced at this juncture that, use of alternative powers enumerated in law would not be that effective and sufficient to maintain Law and Order, as the matter is urgent and immediate prevention or speedy remedy is necessary in the interest of safety of general public to avert the apprehended danger.

Whereas Shri. Praveen Togadia is non-residential addressee of Bengaluru City; he is not a permanent resident of Karnataka State; though he is a resident of Gujarat State, he keeps touring various places across the country to participate in various activities of the VHP and hence the circumstances do not favour the issuing of notice to him before the final order, at this juncture.

Whereas the matter is urgent and requires speedy remedy and as such this being a case of emergency an order has to be passed Ex-parte under provision of Sec 144(2) Cr.P.C.

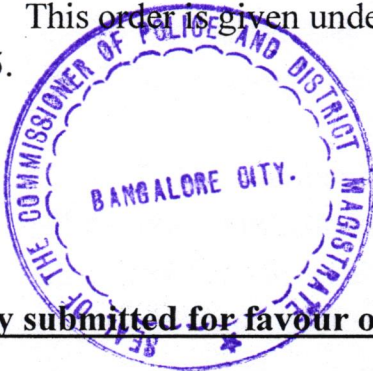
Whereas maintenance of Law and Order is one of the main duties of police and it is well established in the law that whenever public safety peace and tranquility are in danger, it is the bounden duty of the police to take appropriate preventive measures to maintain Law and Order. Therefore under the above mentioned circumstances and for the reasons mentioned above I pass the following order:


ORDER

I, M. N. Reddi, IPS, Commissioner of Police Bengaluru City, in exercise of the powers vested in me u/s 144(3) Cr.P.C, impose prohibitory orders banning Shri. Praveen Bhai Mohan Bhai Togadia R/o House No. 50, Vaibhav Bunglow, Part-3, Near Gulab Tower, Sarkhej-Gandinagar Highway, Ahamadabad, from entering into the Police Commissionerate limits of Bengaluru City and participate in any Public Meeting / Function in Bengaluru City for a period of 07 days i.e. from 05 February 2015 to 11 February 2015.

I, hereby direct that, this order with the copies of documents enclosed with the report of Deputy Commissioner of Police, South Division should be served on Shri. Praveen Togadia. The further course of action should be taken up by the Deputy Commissioner of Police, South Division, Bengaluru City.

This order is given under my hand and my seal on this the 31 January, 2015.



  
COMMISSIONER OF POLICE  
BENGALURU CITY

**Copy submitted for favour of kind information:**

1. The Chief Secretary to Government of Karnataka, Vidhana Soudha, Bengaluru.
2. The Addl. Chief Secretary to Government of Karnataka, Home Department, Vidhana Soudha, Bengaluru.
3. The Deputy Commissioner, Bengaluru Urban District, Bengaluru.

**Copy forwarded for information and necessary action:**

1. The Dy. Commissioner of Police, South Division, Bengaluru City.
2. The Dy. Commissioner of Police, PRO O/o COP, Bengaluru City with spare copies.