

In Re: D. Narasimha Aiyar

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Court : Chennai

Decided On : Nov-23-1945

Reported in : AIR1946Mad153; (1945)2MLJ585

Appellant : In Re: D. Narasimha Aiyar

Judgement :

ORDER

Kuppuswami Aiyar, J.

1. Rule 39(1) (b) of the Traffic Rules runs thus : 'No person shall ride a cycle on any road in any other manner than on the saddle.
2. Admittedly, the petitioner was riding not on the saddle but on the carrier behind the saddle and above the wheel. He is therefore guilty of the offence with which he has been charged.
3. What is contended is that what was intended to be prohibited was the propulsion of the wheels by moving the pedal without sitting on the saddle. That also could be said to be prohibited as it is riding in any other manner but by sitting in any place without propelling the wheels. Etymologically, it will be correct to say that the man, who is sitting on the carrier and is carried on the cycle, is riding the cycle. But then he will not be riding it sitting on the saddle.

4. The petitioner was rightly convicted and the sentence cannot be said to be excessive. The petition is dismissed.

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