

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.11425 of 2019

K.Seatu

... Petitioner

Versus

The State, Represented by
Sub Inspector of Police,
Rishivandhipuram Police Station,
Rishivandhipuram,
Villupuram District.

... Respondent

Prayer:- Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to give police protection to conduct the Chittirai Abisegam and Special Pooja for the Sakthi Kal @ in S.No.272/1, Arulmigu Sree Muniyappa Alayam, Seramthangal Village, Sanngarapuram Taluk, Villupuram District on 03.05.2019 and 04.05.2019 based on the representation dated 19.04.2019.

For Petitioner : M/s.A.Ajimath Begam

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

Seeking permission to conduct cultural programme in the event of Chittirai Abisegam and Special Pooja for the Sakthi Kal @ in S.No.272/1, Arulmigu Sree Muniyappa Alayam, Seramthangal Village, Sanngarapuram Taluk, Villupuram District, the petitioner made a representation dated 19.04.2019 to the respondent. As the same has not been considered, the present Criminal Original petition has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. Learned Additional Public Prosecutor, on instructions, would submit that there is likelihood of arising law and order problem.

4. A mere apprehension cannot be a ground to reject the representation. There is absolutely no material before this Court to hold that there will be a law and order problem in the event of permission being granted. In such view of the matter, the petitioner is permitted to conduct cultural programme in the event of Chittirai Abisegam and Special Pooja for the Sakthi Kal @ in S.No.272/1, Arulmigu Sree Muniyappa Alayam, Seramthangal Village, Sanngarapuram Taluk, Villupuram District, however with the following conditions:-

(a) The petitioner shall pay a sum of Rs.10,000/- (Rupees ten thousand only) as charges, to the 2nd respondent Police and on receipt of the same, the respondent Police are directed to issue receipt and proceed further.

(b) The cultural programme in connection with the event of Chittirai Abisegam and Special Pooja for the Sakthi Kal @ in S.No.272/1, Arulmigu Sree Muniyappa Alayam, Seramthangal Village, Sanngarapuram Taluk, Villupuram District, shall be conducted on 03.05.2019 and 04.05.2019 between 06.00 p.m. and 10.00 p.m.

(c) There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants.

(d) Double meaning songs should not be played so as to spoil the minds of students and youths.

(e) No dance or songs, touching upon any political party or religion or community or caste shall be played.

(f) No flex boards in support of any political party or communal leader, shall be erected at the premises of the programme.

(g) The function shall not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(h) If there is violation of any one of the conditions imposed, the concerned police officer is at liberty to take necessary action, as per law and stop such performance forthwith; and

(i) Similarly, the police is directed to stop the dance programme, if it is played beyond the permitted time limit.

(j) The respondent is directed to issue necessary permission, incorporating the above conditions.

5. With the above directions, this Criminal Original Petition stands allowed.
ssr

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

To

1. The Sub Inspector of Police,
Rishivandhipuram Police Station,
Rishivandhipuram,
Villupuram District.

2. The Public Prosecutor
High Court, Madras.

+1cc to M/s.A.Ajimath Begum, Advocate, SR.No.40920

Kak(30/04/2019)

Cr1.O.P.No.11425 of 2019



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