

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.21069 of 2019

S.Kubendiran

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
Chengam, Thiruvannamalai District.

2. The Inspector of Police,
Chengam Police Station,
Chengam,
Thiruvannamalai District

....Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents police to give permission and police protection for conducting the Musical orchestra to be held on 07.08.2019 for Arulmighu Sithi Vinayagar and Sri Muthumariamman Temple Festival at Kilayur Village, Chengam Taluk and Thiruvannamalai District.

For Petitioner : Mr.R.Rajarajan

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

O R D E R

This petition has been filed to direct the respondents police to give permission and police protection to conduct the Musical orchestra to be held on 07.08.2019 for Arulmighu Sithi Vinayagar and Sri Muthumariamman Temple Festival at Kilayur Village, Chengam Taluk and Thiruvannamalai District..

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

3.The 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 the Musical orchestra to be held on 07.08.2019 for Arulmighu Sithi Vinayagar and Sri Muthumariamman Temple Festival at Kilayur Village, Chengam Taluk and Thiruvannamalai District, however, with the following conditions:-

(a) The cultural programme in connection with the event of Musical orchestra in Arulmighu Sithi Vinayagar and Sri Muthumariamman Temple Festival at Kilayur Village, Chengam Taluk, Thiruvannamalai District, on 07.08.2019 between 6.00 pm to 11.00 p.m.

(b) The petitioner shall pay a cost of Rs.10,000/- (Rupees Ten Thousand only) to the respondent police towards police protection.

(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 police is directed to issue necessary permission, incorporating the above conditions.

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

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

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To

1.The Deputy Superintendent of Police,
Chengam,
Thiruvannamalai District.

2. The Inspector of Police,
Chengam Police Station,
Chengam,
Thiruvannamalai District

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Rajarajan, Advocate, S.R.No. 67166

Crl.O.P.No.21069 of 2019

BS (CO)
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