

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

CrI.O.P.No.22138 of 2019

P.S.Sabapathi

... Petitioner

Vs.

1. The Superintendent of Police,
Vellore, Vellore District - 632 001.

2. The Inspector of Police,
Veppankuppam Police Station,
Anaicut Taluk,
Vellore District - 632 103.

..Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to issue direction to the respondent to grant permission to perform the program of 'Adal Padal' on 02.09.2019 at about 06.00 P.M to 11.00 P.M at "Sri Vinayakar Chathurthi festival" is situated at Pomman Kottayai Village, Pinnathurai Post, Odugathur Via, Anaicut Taluk, Vellore District and to provide adequate police protection based on the petitioner's representation dated 10.08.2019.

For Petitioner : Mr.S.Mayilnathan

For Respondents : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondent authority to give police protection and permission to conduct cultural programme "Adal Padal" in the event of Sri Vinayakar Chathurthi festival at Pomman Kottayai Village, Pinnathurai Post, Odugathur Via, Anaicut Taluk, Vellore District on 02.09.2019 by considering the petitioner's representation dated 10.08.2019.

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 cultural programme "Adal Padal" in the event of Sri Vinayakar Chathurthi festival at Pomman Kottayai Village, Pinnathurai Post, Odugathur Via, Anaicut Taluk, Vellore District, however, with the following conditions:-

(a) The cultural programme in connection with the event of cultural programme "Adal Padal" in the event of Sri Vinayakar Chathurthi festival at Pomman Kottayai Village, Pinnathurai Post, Odugathur Via, Anaicut Taluk, Vellore District shall be conducted on 02.09.2019 between 06.00 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(Insp.Cell)

//True Copy//

Sub Assistant Registrar

To

1. The Superintendent of Police,
Vellore, Vellore District - 632 001.
2. The Inspector of Police, Veppankuppam Police Station,
Anaicut Taluk, Vellore District - 632 103.
3. The Public Prosecutor, High Court, Madras.

+1 cc to M/s.S.Mayilnathan, Advocate Sr.No. 70316

सत्यमेव जयते

Cr1.O.P.No. 22138 of 2019

AKM/ 27.08.19/ 3P-5C /

WEB COPY