

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.22868 of 2019

M.Sambath Kumar

... Petitioner

Vs.

The Inspector of Police,
Kannankurichi Police Station,
Salem District.

..Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to directing the respondent police to grant permission to conduct the cultural programme (Aadal & Padal Programme) at Arulmigu Sri Mariyamman Koil Temple campus Sri Vinayagar Chadurthi festival Korimedu, Salem District, scheduled to be held on 02.09.2019 by considering the petitioner representation dated 17.08.2019.

For Petitioner : Mr.T.Balachandran

For Respondent : 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 Adal Padal Nigalchi in the event of Arulmigu Sri Mariyamman Koil Temple campus Sri Vinayagar Chadurthi festival Korimedu, Salem District on 02.09.2019 by considering the petitioner's representation dated 17.08.2019.

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 (Adal Padal Nigalchi) in the event of Arulmigu Sri Mariyamman Koil Temple campus Sri

Vinayagar Chadurthi festival Korimedu, Salem District, however, with the following conditions:-

(a) The cultural programme in connection with the event of Adal Padal Nigalchi in the event of Arulmigu Sri Mariyamman Koil Temple campus Sri Vinayagar Chadurthi festival Korimedu, Salem 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 (CS-VII)

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Sub Assistant Registrar

ssr

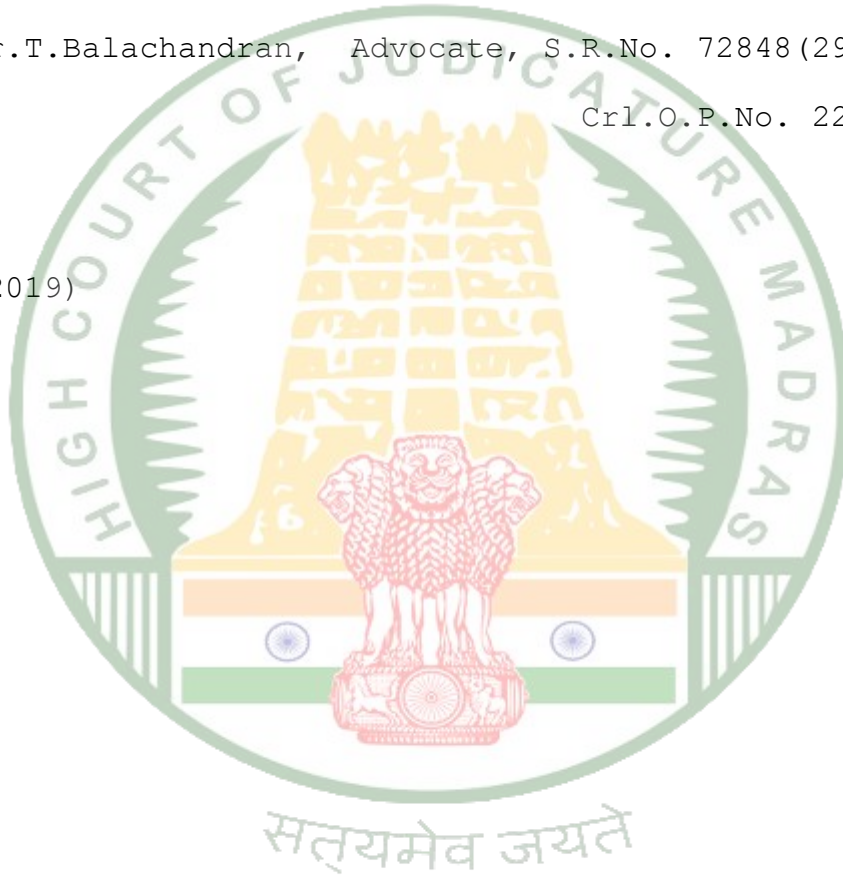
To

1. The Inspector of Police,
Kannankurichi Police Station,
Salem District.
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.T.Balachandran, Advocate, S.R.No. 72848 (29/08/2019)

CrI.O.P.No. 22868 of 2019

NM(CO)
GN(27/08/2019)



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