

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Cr1.O.P.No.22730 of 2019

K.Sigamani

... Petitioner

Vs.

State represented by
The Inspector of Police,
R-8, Vadapalani Police Station,
Vadapalani,
Chennai- 600026.

.... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the Respondent police to grant permission and provide police protection to the petitioner's temple festival to conduct the cultural programs on the eve of Aadi festival in Sri Madavalli Amman Alayam, at 100 Feet Road, Ottagappalyam, Vadapalani, Chennai - 600 026 scheduled to be conducted from 26.08.2019 to 01.09.2019 between 7.00 p.m., and 10.00 p.m., by considering petitioner's representation dated 07.08.2019.

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

O R D E R

This petition has been filed to direct the Respondent to grant permission and protection to conduct the cultural program (Dance and Music Program) Sri Madavalli Amman Alayam, at 100 Feet Road, Ottagappalyam, Vadapalani, Chennai, scheduled to be held from 26.08.2019 to 01.09.2019 between 7.00 p.m., and 10.00 p.m., and considering by his representation dated 07.08.2019.

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 in the event of cultural program (Dance and Music Program) in the Sri Madavalli Amman Alayam, at 100 Feet Road, Ottagappalyam, Vadapalani, Chennai, however with the following conditions:-

(a) The cultural programme in connection with the event of cultural program (Dance and Music Program) in the Sri Madavalli Amman Alayam, at 100 Feet Road, Ottagappalyam, Vadapalani, Chennai, from 26.08.2019 to 01.09.2019 between 06.00 PM to 11.00 PM.

(b) The petitioner shall pay a cost of Rs.10,000/- for each day, (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 is directed to issue necessary permission, incorporating the above conditions.

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

-s/d-

Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

To

1.The Inspector of Police,
R-8, Vadapalani Police Station,
Vadapalani, Chennai.

2.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.J.Appudeepak, Advocate sr 71771.

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NR(CO)
SP(22/08/2019)



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