IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2019

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.23178 of 2019

M.Sivakumar ... Petitioner

Vs.

1.The Superintendent of Police,
Vellore, Vellore District.

2.The Inspector of Police,
Panamadangi Police Station,
Katpadi Taluk, Vellore District. ... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent to give the Bandobust for permission to conduct the cultural programme on 04.09.2019 in the event of Arulmighu Sri Vinayagar Koil at Panamadangi Post, Kadpadi Taluk, Vellore District based on the petitioner's representation dated 24.08.2019.

For Petitioner : M/s.R.Gopinath
For Respondents : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

This petition has been filed to direct the 2nd respondent to give the Bandobust for permission to conduct the cultural programme on 04.09.2019 in the event of Arulmighu Sri Vinayagar Koil at Panamadangi Post, Kadpadi Taluk, Vellore District based on the petitioner's representation dated 24.08.2019.

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

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 which is scheduled to be held on 04.09.2019 in " Arulmighu Sri Vinayagar Koil at Panamadangi Post, Kadpadi Taluk, Vellore District, however with the following conditions:-

(a) The cultural programme in the event of "Arulmighu Sri Vinayagar Koil at Panamadangi Post, Kadpadi Taluk, Vellore District, on 04.09.2019 between 07.00 PM to 11.00 PM.

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(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 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.

2.The Inspector of Police,
Panamadangi Police Station,
Katpadi Taluk, Vellore District.

3.The Public Prosecutor,
High Court of Madras.

+1 cc to M/s.R.Gopinath,Advocate Sr.No. 73580

AKM/ 30.08.19/ 2P- 5C /

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