

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2019

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THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH
Crl.O.P.No.23333 of 2019

Palanivel

... Petitioner

Vs.

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

2.The Sub Inspector of Police,
Vikramangalam Police Station,
Ariyalur District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent authority to grant permission and protection to conduct cultural dance programme to be held on 30.08.2019 at Arulmighu Thaiyalnayagi Temple, Sri Eraneeswarar Thirukoil, Madhurandhaga Cholapuram @ Chettithirukonam, Ariyalur District by considering the petitioner representation dated 08.08.2019.

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

सत्यमेव जयते
O R D E R

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This petition has been filed to direct the 2nd respondent authority to grant permission and protection to conduct cultural dance programme to be held on 30.08.2019 at Arulmighu Thaiyalnayagi Temple, Sri Eraneeswarar Thirukoil, Madhurandhaga Cholapuram @ Chettithirukonam, Ariyalur District by considering the petitioner representation dated 08.08.2019.

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 30.08.2019 in "Arulmighu Thaiyalnayagi Temple, Sri Eraneeswarar Thirukoil, Madhurandhaga Cholapuram @ Chettithirukonam, Ariyalur District, however with the following conditions:-

(a) The cultural programme in "Arulmighu Thaiyalnayagi Temple, Sri Eraneeswarar Thirukoil, Madhurandhaga Cholapuram @ Chettithirukonam, Ariyalur District, on 30.08.2019 between 07.00 PM to 11.00 PM.

(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(CS VII)

//True Copy//

Sub Assistant Registrar

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To

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

2.The Sub Inspector of Police,
Vikramangalam Police Station,
Ariyalur District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Elavarasan , Advocate SR.No. 73885

Cr1.O.P.No.23333 of 2019

A.SK(28/08/2019)



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