

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 29.08.2019
CORAM
THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.23550 of 2019

K.Annamalai

... Petitioner

Vs.

The Inspector of Police,
J-12, Kanathur Police Station,
Police Limit Chennai,
Kancheepuram District.

..Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent herein to provide necessary police protection based on the petitioner's representation dated 19.08.2019 to conduct Thulukanathamman & Valampuri Selva Vinayakar Temple Festival from 30.08.2019 to 02.09.2019 and ensuring the rights, safety and personal liberty of the petitioner in accordance with law to secure the ends of justice.

For Petitioner : Mr.K.Kapil Dev

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 cultural dance programme (Adal Padal Nigalchi) in the event of Thulukanathamman & Valampuri Selva Vinayakar Temple Festival at Kanathur Village, Chengalpet District on 30.08.2019 to 02.09.2019 by considering the petitioner's representation dated 19.08.2019.

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 Thulukanathamman & Valampuri Selva Vinayakar Temple Festival at Kanathur Village, Chengalapet District, however, with the following conditions:-

(a) The cultural programme in connection with the event of Adal Padal Nigalchi in the event of Thulukanathamman & Valampuri Selva Vinayakar Temple Festival at Kanathur Village, Chengalapet District shall be conducted only on 31.08.2019 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

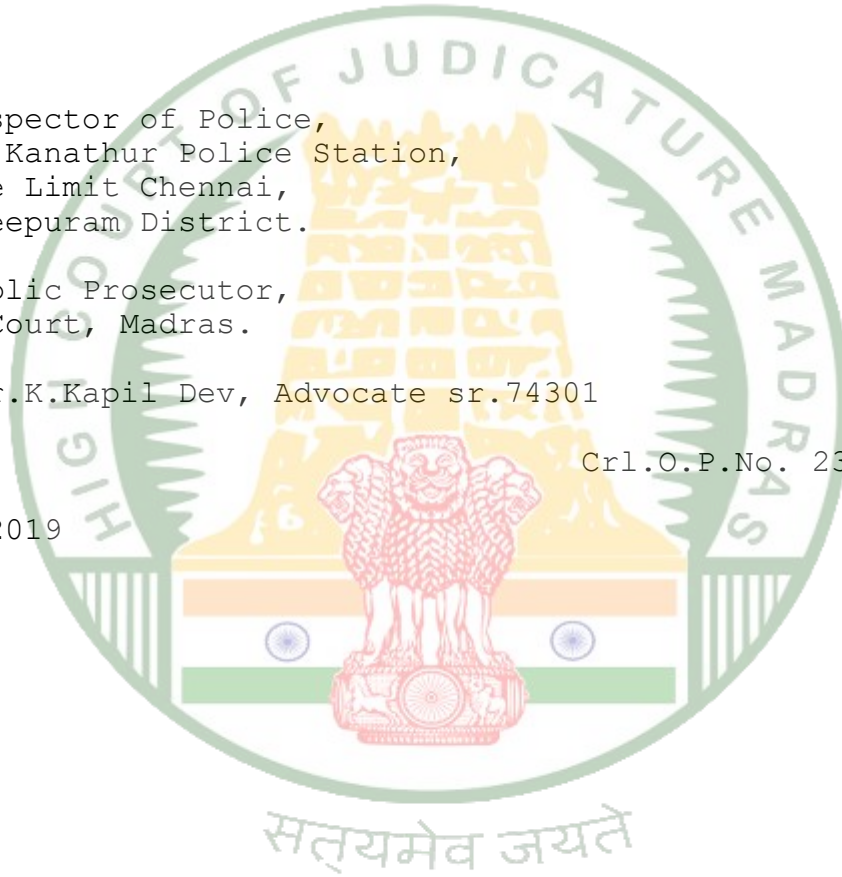
1. The Inspector of Police,
J-12, Kanathur Police Station,
Police Limit Chennai,
Kancheepuram District.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Kapil Dev, Advocate sr.74301

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nr 29/08/2019



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