

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.09.2019

CORAM

THE HONOURABLE Mr.JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.24038 of 2019

S.Dhayanithi

.. Petitioner

Vs.

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

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to grant permission and police protection to conduct the cultural program viz., Adal Padal (song and dance) program to be held on 09.09.2019 at 6.00 p.m., onwards in connection with the Temple Festival of Arulmigu Sri Muthalamman Thirukovil, Nainarkuppam, Uthandi, Sozhinganallur Taluk, Kanchipuram District, by considering the petitioner's representation dated 30.08.2019.

For Petitioner : Mr.S.Sathish

For Respondent : Mr.M.Mohamed Riyaz, APP

O R D E R

Seeking permission to conduct cultural programme in the event of Arulmigu Sri Muthalamman Thirukovil at Nainarkuppam, Uthandi, Sozhinganallur Taluk, Kanchipuram District on 09.09.2019, the petitioner made a representation dated 30.08.2019 to the respondent. As the same has not been considered, the present Criminal Original petition has been filed.

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, this petition is allowed and the petitioner is permitted to conduct cultural programme in the event of Arulmigu Sri Muthalamman Thirukovil at Nainarkuppam, Uthandi, Sozhinganallur Taluk, Kanchipuram District on 09.09.2019, however with the following conditions:-

(a) The cultural programme in connection with the event of Arulmigu Sri Muthalamman Thirukovil at Nainarkuppam, Uthandi, Sozhinganallur Taluk, Kanchipuram District on 09.09.2019, between 06.00 p.m., to 11.00 p.m.

(b) There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants.

(c) Double meaning songs should not be played so as to spoil the minds of students and youths.

(d) No dance or songs, touching upon any political party or religion or community or caste shall be played.

(e) No flex boards in support of any political party or communal leader, shall be erected at the premises of the programme.

(f) The function shall not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(g) 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

(h) Similarly, the police is directed to stop the dance programme, if it is played beyond the permitted time limit.

(i) The respondent is directed to issue necessary permission, incorporating the above conditions.

Sd/-

Assistant Registrar (J)

//True Copy//

Sub Assistant Registrar

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To

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

2. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.S.Sathish, Advocate, SR.76340

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(CO)
CB(04/10/2019)



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