

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.09.2019

CORAM

THE HONOURABLE Mr.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.24169 of 2019

R.Mohan Rasu

.. Petitioner

Vs.

The Inspector of Police,
Vellore Police Station,
Namakkal District.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to grant permission and necessary police protection to perform the cultural program i.e., Adal Padal on the Kudipatu Temple " Sri Mathudurai Veeran Sami at Selur Seellambalayam, Paramathivelur Taluk, Namakkal District which is held to be on 12.09.2019 in pursuant to the petitioner's representation dated 03.09.2019.

For Petitioner : Mr.P.Muthamizhselvakumar
For Respondent : Mr.M.Mohamed Riyaz, APP

O R D E R

Seeking permission to conduct cultural programme in the event of Kudipatu " Sri Mathudurai Veeran Sami Temple" at Selur Seellambalayam, Paramathivelur Taluk, Namakkal District on 12.09.2019, the petitioner made a representation dated 03.09.2019 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 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, this petition is allowed and the petitioner is permitted to conduct cultural programme in the event of Kudipatu " Sri Mathudurai Veeran Sami Temple" at Selur Seellambalayam, Paramathivelur Taluk, Namakkal District on 12.09.2019, however with the following conditions:-

(a) The cultural programme in connection with the event of Kudipatu " Sri Mathudurai Veeran Sami Temple" at Selur Seellambalayam, Paramathivelur Taluk, Namakkal District on 12.09.2019, 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 (CS-VI)

//True Copy//

ssi/mpa
To

सत्यमेव जयते Sub Assistant Registrar

1. The Inspector of Police,
Vellore Police Station,
Namakkal District.

2. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.P.Muthamizh Selvakumar, Advocate, S.R.No.77121

CrI.O.P.No. 24169 of 2019

CP(CO)
SSM(09/09/2019)