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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.No.33 of 2020

K. Vijayakumar

...Petitioner

-Vs-

State Rep by
The Inspector of Police,
Melpadi Police Station,
Melpadi,
Vellore District.

... Respondent

Prayer:

Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the authority to give police protection and permission to conduct Cultural Programme (Adal Padal Nigalchi) in the event of Mungilери Village Arulmigu Sree Ponniаmman Temple Festival at Katpadi Taluk, Vellore District on 24/01/2020 between 6.00 pm to 11.00 pm by considering the petitioner's representation dated 30.12.2019.

For Petitioner : Mr.A.Sathish Kumar

For respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the authority to give police protection and permission to conduct Cultural Programme (Adal Padal Nigalchi) in the event of Mungilери Village Arulmigu Sree Ponniаmman Temple Festival at Katpadi Taluk, Vellore District on 24/01/2020 between 6.00 pm to 11.00 pm by considering the petitioner's representation dated 30.12.2019.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

4. The learned Additional Public Prosecutor, on instructions, would submit that there is likelihood of arising law and order problem.

5. 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 in the event of "Mungilери Village Arulmigu Sree Ponniamman Temple Festival at Katpadi Taluk, Vellore District", however with the following conditions:-

(a) The cultural programme in connection with the event of " Mungilери Village Arulmigu Sree Ponniamman Temple Festival at Katpadi Taluk, Vellore District" shall be conducted on 24/01/2020 between 6.00 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.

6. With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

mfa

To

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



2.The Public Prosecutor,
High Court, Madras.

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+1cc to Mr.A.Sathish Kumar, Advocate SR.1995 dt.8/1/2020

Cr1.O.P.No.33 of 2020

AD(CO)
CB(10/01/2020)