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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.01.2020

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THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.403 of 2020

V.Vetrivel

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Dharapuram,
Tiruppur District.

2.The Inspector of Police,
Mulanur Police Station,
Mulanur, Dharapuram Taluk,
Tiruppur District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to grant police protection and permission to the petitioner to conduct cultural programme on the evening on 15.01.2020 as part of Pongal as well as Vinayagar temple festival at Anna Nagar, Mulanur Village of Dharapuram Taluk by considering petitioner's representation dated 28.12.2019.

For Petitioner : Mr.N.Ponraj

For Respondents : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondents to grant police protection and permission to the petitioner to conduct cultural programme on the evening on 15.01.2020 as part of Pongal as well as Vinayagar temple festival at Anna Nagar, Mulanur Village of Dharapuram Taluk by considering petitioner's representation dated 28.12.2019.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.



3. The learned Government Advocate, 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 in the event of "Pongal as well as Vinayagar temple festival at Anna Nagar, Mulanur Village of Dharapuram Taluk", however with the following conditions:-

(a) The cultural programme in connection with the event of "Pongal as well as Vinayagar temple festival at Anna Nagar, Mulanur Village of Dharapuram Taluk", on 15.01.2020 from 06.00 p.m. to 11.00 p.m.

(b) The petitioner shall pay a cost of Rs.10,000/- (Rupees Ten Thousand only) to the 2nd 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 2nd 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 II)

//True Copy//

Sub Assistant Registrar



To

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- 1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Dharapuram,
Tiruppur District.
- 2.The Inspector of Police,
Mulanur Police Station,
Mulanur, Dharapuram Taluk,
Tiruppur District.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.

+1 cc to M/s.N.Ponraj,Advocate Sr.No. 2483

AKM/10.01.2020/3P-5C /

CRL.O.P.No.403 of 2020