



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 13.01.2020
CORAM
THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM
CRL.O.P.No.714 of 2020

WEB COPY

R.Thangavel

... Petitioner

Vs.

1.The Superintendent of Police,
Namakkal,
Namakkal District - 637 001.

2.The Inspector of Police,
Mohanur Police Station,
Mohanur,
Namakkal District - 637 015.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to issue direction to the respondent to grant permission to perform the program of 'Adal Padal' on 17.01.2020 at about 06.00 P.M. to 11.00 P.M. at "Sri Veerakaran Temple Festival" is situated at Othaiyur Pudur Village, Parali Post, Mohanur Taluk, Namakkal District and to provide adequate police protection based on petitioner representation dated 07.01.2020.

For Petitioner : Mr.S.Mayilnathan

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

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O R D E R

This petition has been filed to issue direction to the respondent to grant permission to perform the program of 'Adal Padal' on 17.01.2020 at about 06.00 P.M. to 11.00 P.M. at "Sri Veerakaran Temple Festival" situated at Othaiyur Pudur Village, Parali Post, Mohanur Taluk, Namakkal District and to provide adequate police protection based on petitioner representation dated 07.01.2020.



2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

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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 cultural programme in the event of "Sri Veerakaran Temple Festival" situated at Othaiyur Pudur Village, Parali Post, Mohanur Taluk, Namakkal District, however with the following conditions:-

(a) The cultural programme in connection with the event of "Sri Veerakaran Temple Festival" situated at Othaiyur Pudur Village, Parali Post, Mohanur Taluk, Namakkal District, on 17.01.2020 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.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Namakkal,
Namakkal District - 637 001.

2. The Inspector of Police,
Mohanur Police Station,
Mohanur,
Namakkal District - 637 015.

3. The Public Prosecutor,
Madras High Court,
Chennai.

+1 cc to Mr. S. Mayilnathan Advocate sr2913

CRL.O.P.No.714 of 2020

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