

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.01.2020

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.1798 of 2020

K.Lakshmanan

... Petitioner

Vs.

State Rep. by
The Inspector of Police
Sooramangalam Police Station,
Salem.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, directing the respondent to grant police protection to the petitioner villagers to conduct the cultural programme (Gramiya Kalai Nigazhchi) on the eve of temple festival of the Sri Arulmigu Rajagopura Mariyamman Temple situate at Jagir Kaminaickenpatti, Division-I, Salem which is scheduled to be conducted on 05.02.2020 based on the representation of the petitioner dated 21.01.2020 forthwith.

For Petitioner : Mr.C.Prabakaran
For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

* * * * *

O R D E R

सत्यमेव जयते

This petition has been filed to direct the respondent to grant police protection to the petitioner villagers to conduct the cultural programme (Gramiya Kalai Nigazhchi) on the eve of temple festival of the Sri Arulmigu Rajagopura Mariyamman Temple situate at Jagir Kaminaickenpatti, Division-I, Salem which is scheduled to be conducted on 05.02.2020 based on the representation of the petitioner dated 21.01.2020 forthwith.

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, the petitioner is permitted to conduct cultural programme in the event of "Sri Arulmigu Rajagopura Mariyamman Temple situate at Jagir Kaminaickenpatti, Division-I, Salem", however with the following conditions:-

(a) The cultural programme in connection with the event of "Sri Arulmigu Rajagopura Mariyamman Temple situate at Jagir Kaminaickenpatti, Division-I, Salem" on 05.02.2020 between 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 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.

5.With the above directions, this Criminal Original
Petition stands allowed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

drl/ah
To

1.The Inspector of Police
Sooramangalam Police Station,
Salem.

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

+1cc to Mr.C.Prabakaran , Advocate SR.No. 6570

CRL.O.P.No.1798 of 2020

A.SK(31/01/2020)



WEB COPY