IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 28.01.2020
CORAM
THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM
CRL.O.P.No.1771 of 2020

R.Palanisamy ... Petitioner

Vs.

State represented by
The Inspector of Police,
Alagapuram Police Station,
Alagapuram,
Salem District. ... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent authority to give police protection and permission to conduct Cultural Programme (Adal Padal Nigalchi) in the event of Narasothipatti-Rettiyur Arulmigu Sree Kannanur Mariamman Temple Festival at Salem Taluk & District on 31.01.2020 between 06.00 PM to 11.00 PM by considering the petitioner's representation dated 24.01.2020.

For Petitioner : Mr.A.Sathishkumar

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

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O R D E R

This petition has been filed to direct the respondent authority to give police protection and permission to conduct Cultural Programme (Adal Padal Nigalchi) in the event of Narasothipatti-Rettiyur Arulmigu Sree Kannanur Mariamman Temple Festival at Salem Taluk & District on 31.01.2020 between 06.00 PM to 11.00 PM by considering the petitioner's representation dated 24.01.2020.

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.

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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 "Narasothipatti-Rettiyur Arulmigu Sree Kannanur Mariamman Temple Festival at Salem Taluk & District, however with the following conditions:-

(a) The cultural programme in connection with the event of "Narasothipatti-Rettiyur Arulmigu Sree Kannanur Mariamman Temple Festival at Salem Taluk & District shall be conducted on 31.01.2020 between 06.00 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.

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

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

sni/mfa

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To

1. The Inspector of Police,
   Alagapuram Police Station,
   Alagapuram,
   Salem District.

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

+1cc to Mr.A.Sathishkumar , Advocate SR.No. 6249

CRL.O.P.No.1771 of 2020

A.SK(30/01/2020)

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