

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 31.01.2020
CORAM
THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM
CRL.O.P.No.2001 of 2020

R.Suresh

... Petitioner

Vs.

1.The Superintendent of Police,
Salem, Salem District-636 004.

2.The Inspector of Police,
Suramangalam Police Station,
Salem Taluk,
Salem District-636 004.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to grant permission to perform the programme of 'Adal Padal' on 05.02.2020 at about 07.00 to 12.00 P.M at "Sri Kannanur Mariamman Temple Festival" Narasothipatty, Reddiyur, Salem Taluk, Salem District and to provide adequate police protection based on petitioner representation dated 25.01.2020.

For Petitioner : Mr.S.Mayilnathan

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

O R D E R

This petition has been filed to issue direction to the respondents to grant permission to perform the programme of 'Adal Padal' on 05.02.2020 at about 07.00 to 12.00 P.M at "Sri Kannanur Mariamman Temple Festival" Narasothipatty, Reddiyur, Salem Taluk, Salem District and to provide adequate police protection based on petitioner representation dated 25.01.2020.

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

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 Kannanur Mariamman Temple Festival", Narasothipatty, Reddiyur, Salem Taluk, Salem District, however with the following conditions:-

(a) "Sri Kannanur Mariamman Temple Festival", situated at Narasothipatty, Reddiyur, Salem Taluk, Salem District, on 05.02.2020 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 second 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 second respondent is directed to issue necessary permission, incorporating the above conditions.

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

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Sd/-
Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

Vv

To

1.The Superintendent of Police,
Salem, Salem District-636 004.

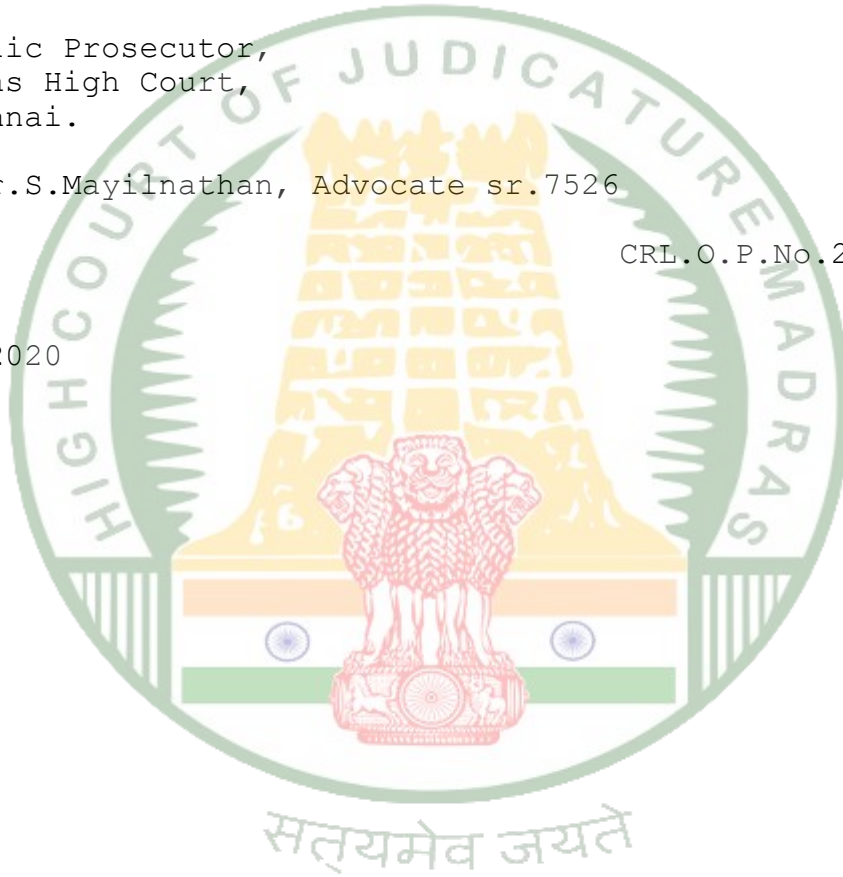
2.The Inspector of Police,
Suramangalam Police Station,
Salem Taluk,
Salem District-636 004.

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

+lcc to Mr.S.Mayilnathan, Advocate sr.7526

CRL.O.P.No.2001 of 2020

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