

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.02.2020

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM
CRL.O.P.No.2470 of 2020

Nehru

... Petitioner

Vs.

1.The Superintendent of Police,
Kallakurichi District,
Kallakurichi.

2.The Inspector of Police,
Sankarapuram Police Station,
Kallakurichi District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of the order passed by the second respondent dated 14.01.2020 to set aside the order and to consider to give permission and police protection to conduct "Thamizhar Panpattu Kalai Nikalchi (Adal Padal) Programme to be held on 07.02.2020 at 7.00 PM to 10.00 PM in connection with Sri Thirupaathi Amman Temple Kumbabisegam situated at Puthirampattu Village, Sankarapuram Taluk, Kallakurichi District.

For Petitioner : Mr.A.Ramesh

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

* * * * *

O R D E R

This petition has been filed to call for the records of the order passed by the second respondent dated 14.01.2020 to set aside the order and to consider to give permission and police protection to conduct "Thamizhar Panpattu Kalai Nikalchi (Adal Padal) Programme to be held on 07.02.2020 at 7.00 PM to 10.00 PM in connection with Sri Thirupaathi Amman Temple Kumbabisegam situated at Puthirampattu Village, Sankarapuram Taluk, Kallakurichi District.

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 "Thamizhar Panpattu Kalai Nikalchi in connection with Sri Thirupathi Amman Temple Kumbabisegam" situated at Puthirampattu Village, Sankarapuram Taluk, Kallakurichi District, however with the following conditions:-

(a) The cultural programme in connection with the event of "Thamizhar Panpattu Kalai Nikalchi in connection with Sri Thirupathi Amman Temple Kumbabisegam" situated at Puthirampattu Village, Sankarapuram Taluk, Kallakurichi District on 07.02.2020 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 disposed of.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

drl
To

1.1. The Superintendent of Police,
Kallakurichi District,
Kallakurichi.

2. The Inspector of Police,
Sankarapuram Police Station,
Kallakurichi District.

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

+1cc to Mr.A.Ramesh , Advocate SR.No. 2470

CRL.O.P.No.2470 of 2020

A.SK(07/02/2020)

WEB COPY