IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.02.2020

CORAM

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.NO.4123 OF 2020

M.Arunkumar ... Petitioner

Vs.

1. The Superintendent of Police,
   Dharmapuri,
   Dharmapuri District – 636 704.

2. The Inspector of Police,
   Kambainallur Police Station,
   Karimangalam Taluk,
   Dharmapuri District – 635 202. ...Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to grant permission to perform the program of 'Adal Padal' on 26.03.2020 at about 06.00 P.M to 11.00 P.M at "Sri Kuppathu Mariamman Temple Festival" Senguttai Village, K.Ichambadi Post, Karimangalam Taluk, Dharmapuri District and to provide adequate police protection based on petitioner representations dated 17.02.2020.

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 direct the respondent to grant permission to perform the program of 'Adal Padal' on 26.03.2020 at about 06.00 P.M to 11.00 P.M at "Sri Kuppathu Mariamman Temple Festival" Senguttai Village, K.Ichambadi Post, Karimangalam Taluk, Dharmapuri District and to provide adequate police protection based on petitioner representations dated 17.02.2020.

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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 Kuppathu Mariamman Temple Festival" Senguttai Village, K.Ichambadi Post, Karimangalam Taluk, Dharmapuri District, however with the following conditions:-

(a) The cultural programme in connection with the event of "Sri Kuppathu Mariamman Temple Festival" shall be conducted on 26.03.2020 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 respondents 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.

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(j) The respondents are 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 III)

//True Copy//

Sub Assistant Registrar

ebsi

To

1. The Superintendent of Police,
   Dharmapuri,
   Dharmapuri District - 636 704.

2. The Inspector of Police,
   Kambainallur Police Station,
   Karimangalam Taluk,
   Dharmapuri District - 635 202

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

+1cc to Mr.S.Mayilnathan, Advocate, S.R.No.16030

CRL.O.P.No.4123 of 2020

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