

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.02.2020

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.4569 of 2020

H.M. Kandasamy

... Petitioner

Vs.

State Represented by
The Inspector of Police,
Thoppur Police Station,
Dharmapuri District.
... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent authority to grant permission and give police protection to conduct cultural event viz., Adal Padal (Song and Dance) Programme to be held on 04.03.2020 at 6.00 p.m to 11.00 p.m in connection with the temple festival of Sree Mulakkadu Arulmigu Muthu Mariamman Temple at Nallampalli Taluk, Dharmapuri District by considering the petitioner's representation dated 22.02.2020.

For Petitioner : Mr.A.Sathishkumar

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

O R D E R

This petition has been filed to issue direction to the respondent to grant permission and protection to conduct cultural event viz., Adal Padal (Song and Dance) Programme to be held on 04.03.2020 at 6.00 p.m to 11.00 p.m in connection with the temple festival of "Sri Muthu Mariamman Temple", situated at Nallampalli Taluk, Dharmapuri District by considering the petitioner's representation dated 22.02.2020.

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.

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 Muthu Mariamman Temple", situated at Nallampalli Taluk, Dharmapuri District on 04.03.2020, however with the following conditions:-

(a) The aforesaid cultural programme shall be conducted on 04.03.2020 from 06.00 p.m. to 11.00 p.m only.

(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

/True Copy/

Sub Assistant Registrar

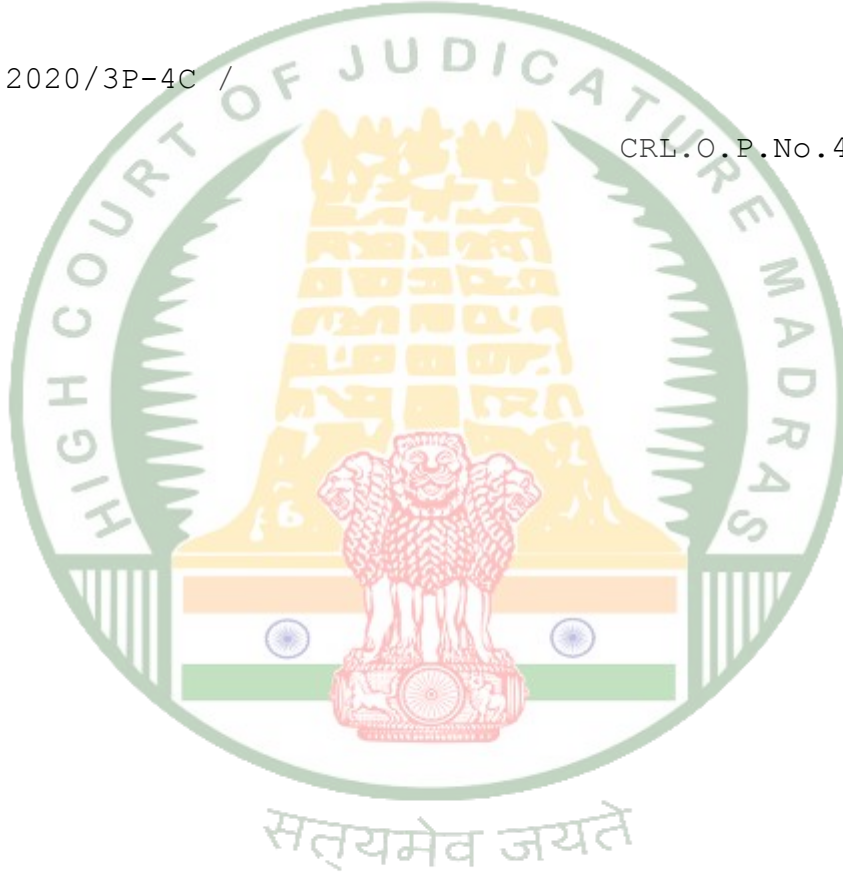
To

1. The Inspector of Police,
Thoppur Police Station,
Dharmapuri District.
2. The Public Prosecutor,
Madras High Court,
Chennai.

+1 cc to M/s.A.Sathis Kumar,Advocate Sr.No. 17515

AKM/02.03.2020/3P-4C /

CRL.O.P.No.4569 of 2020



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