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CrI.O.P.No.11516 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.05.2023

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

CrI.O.P.No.11516 of 2024

Kesavan

... Petitioner

Vs.

- 1.The Superintendent of Police,
Office of Superintendent of Police,
Tiruvallur District.
- 2.The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Tiruvallur District.
- 3.The Inspector of Police,
Arambakkam Police Station,
Tiruvallur District.

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the 3rd respondent to consider petitioner's representation dated 06/05/2024 and grant police protection and permission to conduct Cultural program (Aadal Padal) at Arulmigu Sri Madurai Veeran Temple situate at Periya Obulapuram Village, Kumudipoondi Taluk, Tiruvallur District scheduled to be held on 12.05.2024.



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For Petitioner : Mr.D.Thirumoorthy
For R 1 to 3 : Mr.L.Baskaran
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition is filed for directing the third respondent to consider the representation of the petitioner dated 06.05.2024 on the file of respondents herein by granting Police protection to conduct cultural program (Adal Pada) at Arulmigu Sri Madurai Veeran Temple situate at Periya Obulapuram Village, Kumudipoondi Taluk, Tiruvallur District scheduled to be held on 12.05.2024.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondents.

3. The learned Government Advocate (Crl.Side), on instructions, would submit that there is a 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 **Arulmigu Sri Madurai Veeran Temple Festival, Periya Obulapuram Village, Kumudipoondi Taluk, Tiruvallur District** however with the following conditions;-

(a) The cultural programme in connection with the event of “ **Arulmigu Sri Madurai Veeran Temple Festival**” **Periya Obulapuram Village, Kumudipoondi Taluk, Tiruvallur District on 12.05.2024 between 6.00 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.



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(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 3rd respondent is directed to issue necessary permission, incorporating the above conditions.



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09.05.2024

Internet : Yes / No

Index : Yes / No

Speaking/Non speaking order

drl

Note : Issue Order copy on 10.05.2024



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K.KUMARESH BABU

drl

To

- 1.The Superintendent of Police,
Office of Superintendent of Police,
Tiruvallur District.
- 2.The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Tiruvallur District.
- 3.The Inspector of Police,
Arambakkam Police Station,
Tiruvallur District.
- 4.The Public Prosecutor,
Madras High Court.

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09.05.2024

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