

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2018

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THE HONOURABLE Mr.JUSTICE M.S.RAMESH

Crl.O.P.No. 3534 of 2018

C.Dhanapal

.. Petitioner

Vs

The Inspector of Police,
Suramangalam Police Station,
Salem District.

.. Respondent

Prayer:Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to direct the respondent authority to give police protection and permission to conduct cultural programme (Adal Padal) at Thatachavadipallam Arulmighu Sri Maha Kaliyamman Temple Festival, at Omallur Taluk & Salem District on 08.02.2018 by considering the petitioner's representation dated 03.02.2018.

For Petitioner : Mr.R.P.Murugan Raja

For Respondent : Mr.C.Raghavan,
Government Advocate(Crl. Side)

O R D E R

Seeking permission to conduct cultural programme in the event of Thatachavadipallam Arulmighu Sri Maha Kaliyamman Temple Festival, at Omallur Taluk & Salem District, the petitioner made a representation dated 03.02.2018 to the respondent. As the same has not been considered, the present Criminal Original petition has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent.

3. Learned Government Advocate (Crl. side), 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 Criminal Original petition is allowed and the petitioner is permitted to conduct dance programme in the event of Thatachavadipallam Arulmighu Sri Maha Kaliyamman Temple Festival, at Omallur Taluk & Salem District, however, with the following conditions:-

(a) The cultural programme in connection with in the event of Thatachavadipallam Arulmighu Sri Maha Kaliyamman Temple Festival, at Omallur Taluk & Salem District shall be conducted on 08.02.2018 between 06.30 p.m. and 11.00 p.m.

(b) There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants.

(c) Double meaning songs should not be played so as to spoil the minds of students and youths.

(d) No dance or songs, touching upon any political party or religion or community or caste shall be played.

(e) No flex boards in support of any political party or communal leader, shall be erected at the premises of the programme.

(f) The function shall not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(g) 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

(h) Similarly, the police is directed to stop the dance programme, if it is played beyond the permitted time limit.

(i) The 2nd respondent is directed to issue necessary permission, incorporating the above conditions. No costs.

Sd/-
Assistant Registrar(IX)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Suramangalam Police Station,
Salem District.

2.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.R.P.Murugan Raja, Advocate, S.R.No.9207

CrI.O.P.No.3534 of 2018

RRK(07/02/2018)



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