

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2018

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

Crl.OP.No.586 of 2018

and

Crl.M.P.No.177 of 2018

Vivek Samaram

.. Petitioner

Vs.

State rep. by

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

2.The Inspector of Police,
Anaimalai Police Station,
Anaimalai,
Coimbatore District.

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.PC, praying to direct the respondents to grant permission to the petitioner's organisation for conducting Pongal Festival Cum Public Meeting on 15.01.2018 at about 6 p.m., at the venue of V.P.P. Nagar, South Side Thidal situated in Ka.Ka.Puthur pursuant to the petitioner's representation dated 30.12.2017 and 06.01.2018.

For Petitioner : Mr.R.Thirumoorthy

For Respondents : Mrs.P.Kritika Kamal,
GA (Crl. Side)
V.Saratha Devi GA(CS)

O R D E R

Heard Mr.R.Thirumoorthy, learned counsel for the petitioner and Mrs.P.Kritika Kamal, learned Government Advocate (Crl. Side) appearing on behalf of the respondents.

2.Though the petitioner has sought for a prayer seeking permission to conduct cultural programme as well as public meeting in the event of Pongal Festival on 15.01.2018, the learned counsel for the petitioner submitted that he would be satisfied if a direction is issued to the respondents to grant permission for cultural programme alone.

3. Recording the submissions made by the learned counsel for the petitioner, the respondents is directed to grant permission to the petitioner to conduct cultural programme on account of Pongal Festival on 15.01.2018. Accordingly, the Criminal Original Petition is allowed partly and the petitioner is permitted to conduct cultural programme, however, with the following conditions:-

(a) The cultural programme in connection with the event of Pongal Festival, shall be conducted on 15.01.2018 between 6.00 p.m. to 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) It is open to the respondents to fix the venue for conducting the Pongal Festival on 15.01.2018 and also directed to give necessary protection and permission, incorporating the above conditions.

4. In the result, the Criminal Original Petition is allowed in part. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

DP

To

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

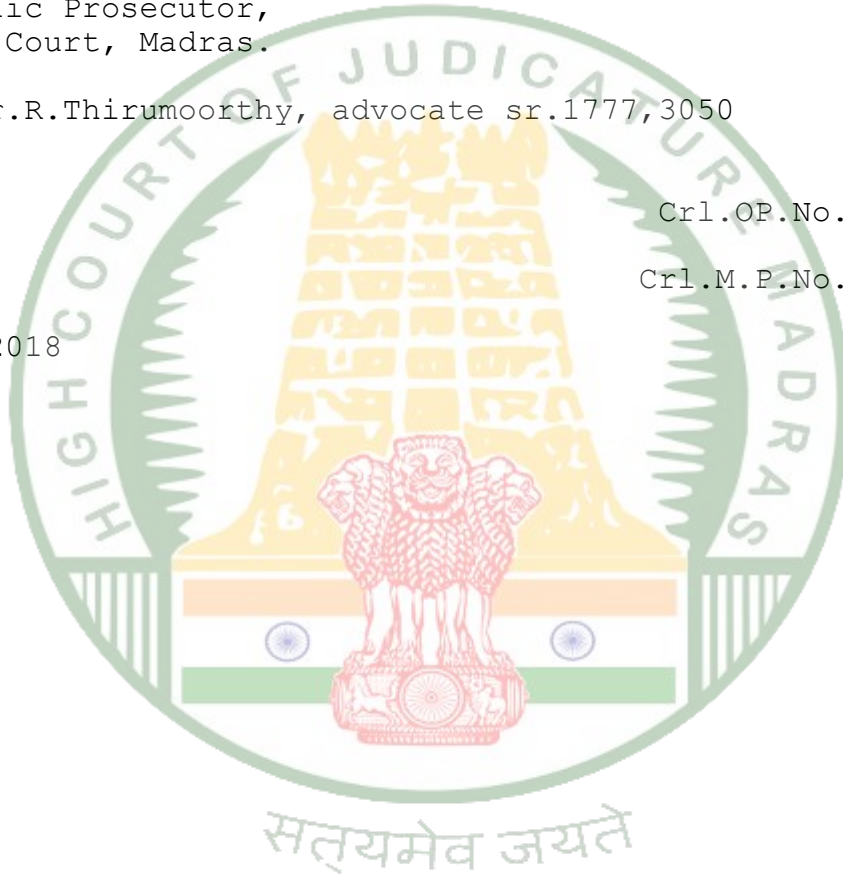
2.The Inspector of Police,
Anaimalai Police Station,
Anaimalai,
Coimbatore District.

3.The Public Prosecutor,
High Court, Madras.

+2cc to Mr.R.Thirumoorthy, advocate sr.1777,3050

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