

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 03.05.2018
CORAM
THE HONOURABLE Mrs.JUSTICE S.RAMATHILAGAM

Crl.O.P.No.12838 of 2018

Sivaraj

.. Petitioner

Vs.

State rep. by
Inspector of Police
Moolanur Police Station
Tiruppur District

.. Respondent

Prayer:Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to direct the respondent to grant permission to conduct dance programme in the Makaliyamman Kovil yearly Festival situated at Puliampatti, Thottipalayam Post, Mambadi Village, Kolathupalayam Via. Dharapuram Taluk, Tiruppur District on 08.05.2018 and give protection and thus render justice.

For Petitioner : Mr.C.S.Saravanan

For Respondent : Ms.Kritika Kamal
Government Advocate (Crl. Side)

O R D E R

Seeking permission to conduct cultural programme in the Makaliyamman Kovil yearly Festival situated at Puliampatti, Thottipalayam Post, Mambadi Village, Kolathupalayam Via. Dharapuram Taluk, Tiruppur District on 08.05.2018 and give protection, the petitioner made a representation 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 in the Makaliyamman Kovil yearly Festival situated at Puliampatti, Thottipalayam Post, Mambadi Village, Kolathupalayam Via. Dharapuram Taluk, Tiruppur District on 08.05.2018, however, with the following conditions:-

(a) The cultural programme in connection with in the event in the Makaliyamman Kovil yearly Festival situated at Puliampatti, Thottipalayam Post, Mambadi Village, Kolathupalayam Via. Dharapuram Taluk, Tiruppur District on 08.05.2018 and give protection 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 respondent is directed to issue necessary permission, incorporating the above conditions.

सत्यमेव जयते
Sd/-

Vacation Officer

//True Copy//

Sub Assistant Registrar

To

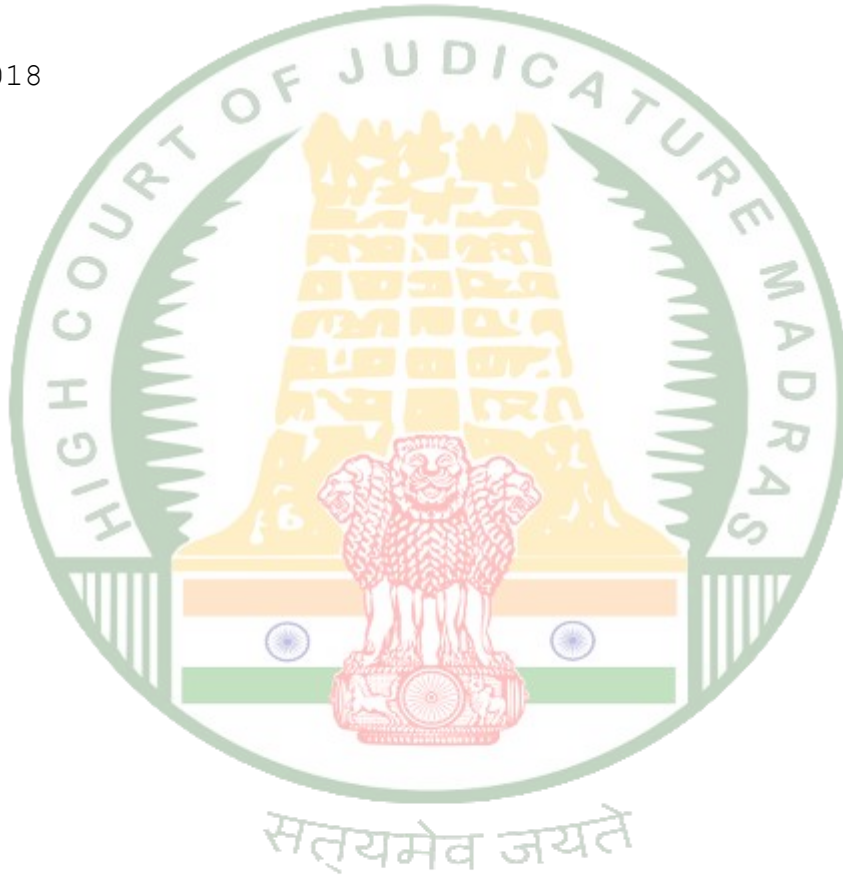
1. State rep. by
Inspector of Police
Moolanur Police Station
Tiruppur District

2. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.C.S.Saravanan Advocate sr 33031

Cr1.O.P.No.12838 of 2018

gmr (co)
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