

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

Crl.O.P.No.12920 of 2018

S.Krishnamoorthy

.. Petitioner
Vs.

1. The Superintendent of Police,
Salem District,
Salem.
2. The Deputy Superintendent of Police,
Omalur,
Salem District.
3. The Inspector of Police,
Omalur Police Station,
Salem District.

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code pleaded to pass an order of Direction, directing the respondent to grant permission and provide police protection to the petitioners' village to conduct the cultural programme on the eve of temple festival of the Mariyamman Temple situate at Karuvatuparai, Kamalapuram Post, Omalur Taluk, Salem District based on the petitioner's representation dated 30.04.2018 to conduct the "Gramiya Kalai Nigazhchi" on 09.05.2018.

For Petitioner : Mr.S.Sureshkumar

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

O R D E R

Seeking permission to conduct cultural programme on the eve of temple festival of the Mariyamman Temple situate at Karuvatuparai, Kamalapuram Post, Omalur Taluk, Salem District, to conduct the "Gramiya Kalai Nigazhchi" on 09.05.2018. The petitioner made a representation dated 30.04.2018 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 "Gramiya Kalai Nigazhchion" on the eve of temple festival of the Mariyamman Temple situate at Karuvatuparai, Kamalapuram Post, Omalur Taluk,

Salem District on 09.05.2018., however, with the following conditions:-

(a) The cultural programme the conduct "Gramiya Kalai Nigazhchion" on the eve of temple festival of the Mariyamman Temple situate at Karuvatuparai, Kamalapuram Post, Omalur Taluk, Salem District, shall be conducted on 09.05.2018 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 respondent is directed to issue necessary permission, incorporating the above conditions.

Sd/-

Vacation Officer

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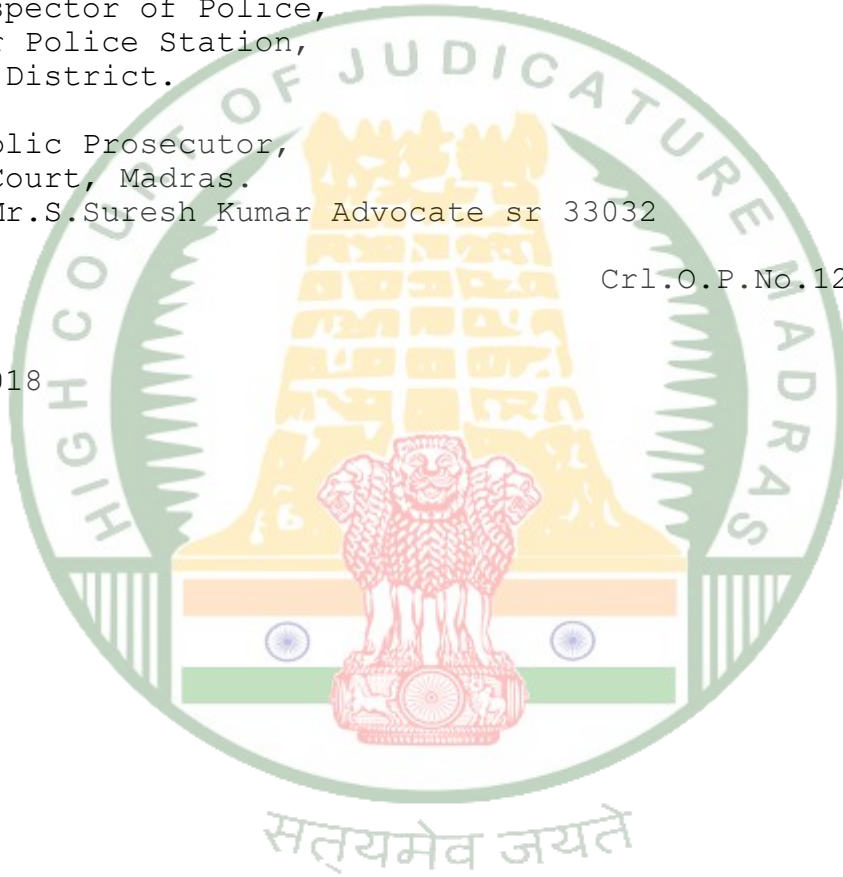
Sub Assistant Registrar

To

1. The Superintendent of Police,
Salem District,
Salem.
 2. The Deputy Superintendent of Police,
Omalur,
Salem District.
 3. The Inspector of Police,
Omalur Police Station,
Salem District.
 4. The Public Prosecutor,
High Court, Madras.
- +1 cc to Mr.S.Suresh Kumar Advocate sr 33032

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