

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.05.2018

CORAM

THE HONOURABLE Mrs.JUSTICE S.RAMATHILAGAM

Crl.O.P.No. 12977 of 2018

K.Vengatesan

.. Petitioner

Vs

1. The Superintendent of Police
Salem, Salem District - 636 001.
2. The Inspector of Police
Mallur Police Station,
Salem District - 636 203. ... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code pleaded to issue an order, directions, directing the First and Second respondents to give police protection and pass orders on the application dated 27.04.2018 made by the petitioner which the time frame as may be fixed by this Hon'ble Court, much before the fixed programme which is to be held on 11.05.2018.

For Petitioner : Mr.S.Bharathi
For Respondent : Ms.KritikaKamal
Government Advocate

O R D E R

Seeking permission to conduct cultural programme in the event of Sri Sakthi Mariyamman Temple festival Gajjalnaickenpatti Village, Salem Taluk, Salem District, on 11.05.2018. Petitioner made a representation on 27.04.2018 to the respondents. 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 Sri Sakthi Mariyamman Temple festival Gajjalnaickenpatti Village, Salem Taluk, Salem District, on 11.05.2018, however, with the following conditions:-

5.

(a) The cultural programme in connection Sri Sakthi Mariyamman Temple festival Gajjalnaickenpatti Village, Salem Taluk, Salem District, shall be conducted on 11.05.2018 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.

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Sd/-
Assistant Registrar/Vacation Officer

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police
Salem, Salem District - 636 001.
2. The Inspector of Police
Mallur Police Station,
Salem District - 636 203.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Mayilnathan, Advocate, S.R.No.32997

Crl.O.P.No. 12977 of 2018

CS/08/05/18



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