

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.05.2018

CORAM

THE HONOURABLE MRS. JUSTICE S.RAMATHILAGAM

Crl.O.P.No.13042/2018

R.Inbamani

.. Petitioner

Vs

1. The Superintendent of Police
Salem, Salem District 636 001.

2. The Inspector of Police
Pallipatti Police Station
Salem District 636 009.

... Respondents

Prayer:-

Criminal Original Petition filed under Section 482 Cr.P.C., to direct the 1st and 2nd respondents to give police protection and pass orders on the representation dated 27.04.2018 made by the petitioner within the time frame as may be fixed by this Court much before the fixed programme which is to be held on 12.05.2018.

For Petitioner	:	Mr.S.Mayilnathan
For Respondents	:	Mrs.P.Kritika Kamal
		Govt. Advocate [Crl.Side]

O R D E R

Seeking permission to conduct cultural programme in the event of "Sri Omsakthi Kaliyamman Temple Festival" at Narayanasampuram, Arisipalayam, Salem District, on 12.05.2018, the 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 respondents.

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 cultural programme during "Sri Omsakthi Kaliyamman Temple Festival" at Narayanasampuram, Arisipalayam, Salem District, on 12.05.2018, however, with the following conditions:-

(a) The cultural programme in connection with "Sri Omsakthi Kaliyamman Temple Festival" at Narayanasampuram, Arisipalayam, Salem District, on 11.05.2018, shall be conducted on 12.05.2018 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 as it may 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/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Superintendent of Police
Salem, Salem District 636 001.
2. The Inspector of Police
Pallipatti Police Station
Salem District 636 009.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Mayilnathan, Advocate, S.R.No.33254

Cr1.O.P.No. 13042/2018

MR(CO)
CS/11/05/18



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