

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.05.2018

CORAM

THE HONOURABLE MRS. JUSTICE S.RAMATHILAGAM

Crl.O.P.No.13246/2018

M.Kanthasamy

.. Petitioner

Vs

The Inspector of Police
Nallipalayam Police Station
Namakkal District.

.. Respondent

Prayer:-

Criminal Original Petition filed under Section 482 Cr.P.C., for providing police protection and permission to conduct village folk dance and other cultural programs [Adal Padal] to be held on 24.05.2018 at Sri Muthu Mariamman Temple situated at Thihppakapatty Colony, Thazampadi Post, Namakkal Taluk and Namakkal District. by considering Petitioners representation dated 07.05.2018.

For Petitioner : Mr.T.Maganathan

For Respondent : Mrs.P. Kritika Kamal
Govt. Advocate [Crl.Side]

O R D E R

Seeking permission to conduct cultural programme in the event of Sri Muthu Mariamman Temple festival situate at Thihppakapatty Colony, Thazampadi Post, Namakkal Taluk and Namakkal District on 24.05.2018, the petitioner made a representation on 07.05.2018 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 cultural programme during Sri Muthu Mariamman Temple festival situate at Thihppakapatty Colony, Thazampadi Post, Namakkal Taluk and Namakkal District on 24.05.2018, however, with the following conditions:-

(a) The cultural programme in connection with Arulmigu Sri Muthu Mariamman Temple festival situate at Thihppakapatty Colony, Thazampadi Post, Namakkal Taluk and Namakkal District on 24.05.2018, shall be conducted on 24.05.2018 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(Comp)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Inspector of Police
Nallipalayam Police Station
Namakkal District.

2. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.T.Maganathan, Advocate, S.R.No.33297

Cr1.O.P.No. 13246/2018

RK(CO)
CS/14/05/18



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