

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.05.2018

CORAM

THE HONOURABLE MRS. JUSTICE S.RAMATHILAGAM

Crl.O.P.No.13294/2018

V.Balasubramaniam

.. Petitioner

Vs

1.The Superintendent of Police
Namakkal District.

2.The Inspector of Police
Namakkal Police Station
Namakkal District.

.. Respondents

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents police to grant permission and protection to conduct cultural programme on 29.05.2018 night between 8.00 p.m. and 11.00 p.m., Sri Palapattirai Mariamman Temple ground, R.P.Pudur, Namakkal District by considering petitioner representation letter dated 05.05.2018.

For Petitioner

Mr.A.M.Amutha Ganesh

For Respondents

Mrs.P. Kritika Kamal

Govt. Advocate [Crl.Side]

ORDER

Seeking permission to conduct cultural programme in the event of Arulmigu Sri Palapattirai Mariamman Temple Festival, at R.P.Pudur, Namakkal District, on 29.05.2018, the petitioner made a representation on 05.05.2018 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 Arulmigu Sri Palapattirai Mariamman Temple Festival, at R.P.Pudur, Namakkal District, on 29.05.2018, however, with the following conditions:-

(a) The cultural programme in connection with Arulmigu Sri Palapattirai Mariamman Temple Festival, at R.P.Pudur, Namakkal District, on 29.05.2018, shall be conducted on 29.05.2018 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 2nd respondent is directed to issue necessary permission, incorporating the above conditions.

09.05.2018

Internet : Yes

AP

Note: Issue order copy on or before 27.05.2018.

S.RAMATHILAGAM, J.

AP

To

- 1.The Superintendent of Police
Namakkal District.
- 2.The Inspector of Police
Namakkal Police Station
Namakkal District.
3. The Public Prosecutor,
High Court, Madras.



Crl.O.P.No. 13294/2018

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