

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.05.2018

CORAM

THE HONOURABLE MRS. JUSTICE S.RAMATHILAGAM

Crl.O.P.No.13302/2018

K.T.Madhappan

.. Petitioner

Vs

The Inspector of Police
Mathur Police Station
Mathur, Krishnagiri District.

.. Respondent

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent to consider the petitioner representation dated 25.04.2018 for providing police permission to conduct village folk dance and other cultural programme [Aadal Padal] held on 29.05.2018 at Mariamman Temple situated at Kothakottai Village, Kalarpathi Post, Pochampalli Taluk, Krishnagiri District.

For Petitioner : Mr.M.R.Franklin
For Respondents : Mrs.P. Kritika Kamal
Govt. Advocate [Crl.Side]

ORDER

Seeking permission to conduct cultural programme in the event of Mariamman Temple festival situated at Kothakottai Village, Kalarpathi Post, Pochampalli Taluk, Krishnagiri District on 29.05.2018, the petitioner made a representation on 25.04.2018 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 cultural programme during Mariamman Temple festival situated at Kothakottai Village, Kalarpathi Post, Pochampalli Taluk, Krishnagiri District on 29.05.2018, however, with the following conditions:-

(a) The cultural programme in connection with Mariamman Temple festival situated at Kothakottai Village, Kalarpathi Post, Pochampalli Taluk, Krishnagiri 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 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 Inspector of Police
Mathur Police Station
Mathur, Krishnagiri District.
2. The Public Prosecutor,
High Court, Madras.



Crl.O.P.No. 13302/2018

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