

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 06.02.2019

CORAM
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.3136 of 2019

B.Sabarikumar

.. Petitioner

Vs

1. The Superintendent of Police,
Dharmapuri, Dharmapuri District - 635 001.

2. The Inspector of Police,
Karimangalam Police Station,
Karimangalam Taluk,
Dharmapuri District - 635 205.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to directing the 1st and 2nd respondents to give police protection and pass orders on the representation dated 27.01.2019 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 08.02.2019.

For Petitioner : Mr.S.Mayilnathan

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

Seeking permission to conduct cultural programme in the event of Sri Kamatchi Amman Temple Car Festival at A.Sappanipatti Village, A.Sappanipatti Post, Karimangalam Taluk, Dharmapuri District, the petitioner made a representation dated 27.01.2019 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 Additional Public Prosecutor appearing for the respondents.

3. Learned Additional Public Prosecutor, 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, this petition is allowed and the petitioner is permitted to conduct cultural programme in the event of A.Sappanipatti Village, A.Sappanipatti Post, Karimangalam Taluk, Sri Kamatchi Amman Temple Car Festival at Dharmapuri District, however with the following conditions:-

(a) The cultural programme in connection with the event of Sri Kamatchi Amman Temple Car Festival at A.Sappanipatti Village, A.Sappanipatti Post, Karimangalam Taluk, Dharmapuri District shall be conducted on 08.02.2019 between 06.00 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 respondents are directed to issue necessary permission, incorporating the above conditions.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ssr/kal

To

1. The Superintendent of Police,
Dharmapuri, Dharmapuri District - 635 001.

2. The Inspector of Police,
Karimangalam Police Station,
Karimangalam Taluk,
Dharmapuri District - 635 205.

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3. The Public Prosecutor
High Court, Madras.

+lcc to Mr.Mayilnathan, Advocate, S.R.No.10343

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MG(CO)

rrs 07/02/2019



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