

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 06.02.2019
CORAM
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3194 of 2019

S.Raja

.. Petitioner

Vs

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

2.The Inspector of Police,
Kondalampatti Police Station,
Salem District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent to give the BANDOUST for permission to conduct the cultural programme on 07.02.2019 in the event of Arulmighu Pachapattini Mariamman Koil, Sivathapuram, Salem, based on the petitioner's representation dated 30.01.2019.

For Petitioner : M/s.M.Selvam

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

Seeking permission to conduct cultural programme in the event of Arulmighu Pachapattini Mariamman Koil, Sivathapuram, Salem, the petitioner made a representation dated 30.01.2019 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 Additional Public Prosecutor appearing for the respondent.

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 Arulmighu Pachapattini Mariamman Koil, Sivathapuram, Salem, however with the following conditions:-

(a) The cultural programme in connection with the event of Arulmighu Pachapattini Mariamman Koil, Sivathapuram, Salem shall be conducted on 07.02.2019 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 respondent is directed to issue necessary permission, incorporating the above conditions.

Sd/-/-

Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

kal/ssr

To

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

2.The Inspector of Police,
Kondalampatti Police Station,
Salem District.

3.The Public Prosecutor
High Court, Madras.

+1cc to M/s.M.Selvam, Advocate SR.No. 10190

Cr1.O.P.No.3194 of 2019

A.SK (06/02/2019)