

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3189 of 2019

P.Prakash

.. Petitioner

Vs

1.State Rep by  
The Superintendent of Police,  
Namakkal District.

2.State Rep by  
The Inspector of Police,  
Tiruchengode Rural Police Station,  
Namakkal District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents to give the police protection to conduct the Adal Padal program in the event of Mariamman Kovil festival is to be held on 20.02.2019, situated at Prithi Village, Tiruchengode Taluk, Namakkal District, on the basis of the petitioner's representation dated 28.01.2019.

For Petitioner : M/s.Dass and Viswa Associates

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

O R D E R

सत्यमेव जयते

Seeking permission to conduct cultural programme in the event of Mariamman Kovil festival at Prithi Village, Tiruchengode Taluk, Namakkal District, the petitioner made a representation dated 28.01.2019 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 Mariamman Kovil festival at Prithi Village, Tiruchengode Taluk, Namakkal District, however with the following conditions:-

(a) The cultural programme in connection with the event of Mariamman Kovil festival at Prithi Village, Tiruchengode Taluk, Namakkal District, shall be conducted on 20.02.2019 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(CO)

//True Copy//

Sub Assistant Registrar

lpp

To

1.The Superintendent of Police,  
Namakkal District.

2.The Inspector of Police,  
Tiruchengode Rural Police Station,  
Namakkal District.

3.The Public Prosecutor  
High Court, Madras.

+1 cc to M/s.Dass and Viswa Associates, Advocate, S.R.No.10728

Crl.O.P.No.3189 of 2019

EV(CO)  
SSM(18/02/2019)



WEB COPY