

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED : 11.02.2019

CORAM  
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No. 3570 of 2019

P.Raja

.. Petitioner

Vs

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

2.State represented by  
The Inspector of Police,  
Pallipalayam Rural Police Station,  
Namakkal District.

.. Respondents

Prayer: Criminal Original Petitions are filed under Section 482 of Criminal Procedure Code, to direct the respondents to grant necessary permission and appropriate police protection to conduct the Adal Padal program in the event of Kannimar Kovil festival which is to be held on 22.02.2019 at Elanthakuttai Village, Kumarapalayam Taluk, Namakkal District, on the basis of the petitioner's representation dated 04.02.2019.

For Petitioner : M/S.Dass and Viswa Associates

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

O R D E R

Seeking permission to conduct cultural programme in the event of Kannimar Kovil festival at Elanthakuttai Village, Kumarapalayam Taluk, Namakkal District, shall be on 22.02.2019, the petitioner made a representation dated 04.02.2019 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 respondents.

3. The 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 Kannimar Kovil festival, at Elanthakuttai Village, Kumarapalayam Taluk, Namakkal District, shall be conducted on 22.02.2019, however with the following conditions:-

(a) The cultural programme in connection with the event of Kannimar Kovil festival, at Elanthakuttai Village, Kumarapalayam Taluk, Namakkal District, shall be conducted on 22.02.2019 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

//True Copy//

Sub Assistant Registrar

mpa/lpp

To

1.The Superintendent of Police,  
Namakkal District.

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

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3.The Public Prosecutor,  
High Court, Madras.

+lcc to M/s.Dass & Viswa Associates, Advocates, S.R.No.12060

Cr1.O.P.No. 3570 of 2019

RSV(CO)

rrs 20/02/2019



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