

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No. 5639 of 2019

N.Selvakumar

...Petitioner

Vs

The Inspector of Police,
Hasthampatti Police Station,
Hasthampatti,
Salem - 636 007.

...Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent authority to give police protection and permission to conduct the Cultural Programmme (Adal Padal) in the event of festival of Mankkadu Sri Selliamman Temple at Manakkadu, Hasthampatti, Salem on 10.03.2019 from 7.00 p.m. to 10.00 p.m. by considering the petitioner's representation dated 20.02.2019 and to give police protection.

For Petitioner : Mr.K.Vasanthanayagan

For Respondent : Mr.C.Raghavan
Government Advocate
(Criminal Side)

O R D E R

Seeking permission to conduct cultural programme in the event of Mankkadu Sri Selliamman Temple Festival at Manakkadu, Hasthampatti, Salem, the petitioner made a representation dated 20.02.2019 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 Government Advocate(Criminal Side) appearing for the respondent.

3. The learned Government Advocate(Criminal 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, this petition is allowed and the petitioner is permitted to conduct cultural programme in the event of Mankkadu Sri Selliamman Temple Festival at Manakkadu, Hasthampatti, Salem however with the following conditions:-

(a) The cultural programme in connection with the event of Mankkadu Sri Selliamman Temple Festival at Manakkadu, Hasthampatti, Salem shall be conducted on 10.03.2019 between 06.00 p.m. and 10.00 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.

ssr/kas

सत्यमेव जयते
Sd/-

Assistant Registrar

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Sub Assistant Registrar

To

1. The Inspector of Police,
Hasthampatti Police Station,
Hasthampatti,
Salem - 636 007.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Vasanthanayagam, Advocate, SR.NO.19958

Cr1.O.P.No. 5639 of 2019

kak(07/03/2019)



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