

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 06.03.2019

CORAM
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No. 6079 of 2019

S.Gunasekaran

.. Petitioner

Vs

1. State: Represented by
Inspector of Police,
Kumarpalayam Police Station,
Kumarpalayam,
Namakkal District.

2. The Deputy Superintendent of Police,
Thiruchenkodu,
Namakkal District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents to consider the petitioner's letter dated 02.03.2019 and give police permission and police protection to the petitioner's temple Shree Muthumariamman Thirukoil at High School Road, Kumarapalayam, Namakkal District on 08.03.2019 Friday to participate dance and music programme.

For Petitioner : Mr.S.Saravanan Satheesh Kumar

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

O R D E R

Seeking permission to conduct cultural programme in the event of Shree Muthumariamman Thirukoil Festival at High School Road, Kumarapalayam, Namakkal District, the petitioner made a representation dated 02.03.2019 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 respondents.

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 Shree Muthumariamman Thirukoil Festival at High School Road, Kumarapalayam, Namakkal District however with the following conditions:-

(a) The cultural programme in connection with the event of Shree Muthumariamman Thirukoil Festival at High School Road, Kumarapalayam, Namakkal District shall be conducted on 08.03.2019 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.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ssr/kas

To

1. The Inspector of Police,
Kumarapalayam Police Station,
Kumarapalayam,
Namakkal District.
2. The Deputy Superintendent of Police,
Thiruchenkodu,
Namakkal District.

3. The Government Advocate (CrI Side)
High Court, Madras.

+lcc to Ms.T.Nithya, Advocate, S.R.No.20631

CrI.O.P.No. 6079 of 2019

rrs 07/03/2019



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