

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 06.03.2019
CORAM
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.Nos. 6072, 6074 and 6075 of 2019

R.Murugan

.. Petitioner in
Crl.O.P.No.6072 of 2019

G.Senivasan

.. Petitioner in
Crl.O.P.No.6074 of 2019

M.Kulanthaivel

.. Petitioner in
Crl.O.P.No.6075 of 2019

Vs

The Inspector of Police,
Omalur Police Station,
Omalur Taluk, Salem District.

.. Respondent in
Crl.O.P.No. 6072 of 2019

The Inspector of Police,
Suramangalam Police Station,
Suramangalam,
Salem District.

.. Respondent in
Crl.O.P.No.6074 of 2019

The Inspector of Police,
Mallur Police Station,
Mallur,
Salem District.

.. Respondent in
Crl.O.P.No.6075 of 2019

Common Prayer: Criminal Original Petitions are filed under Section 482 of Criminal Procedure Code, to direct the respondent authority to give police protection and permission to conduct Cultural Programme (Adal Padal Nigalchi) in the event of (i) Palakuttapatti Arulmigu Sree Thottiyathu Mariamman Temple Festival at Omalur Taluk, Salem District on 08.03.2019 between 06.00 p.m. to 11.00 p.m. by considering the petitioner's representation dated 02.03.2019 (ii) Selathampatti Arulmigu Sree Mariamman Temple Festival at Salem Taluk & District on 13.03.2019 between 06.00 p.m. to 11.00 p.m. by considering the petitioner's representation dated 02.03.2019 (iii) Valakuttapatti Arulmigu Sree Poovai

Amman Temple Festival at Salem Taluk & District on 15.03.2019 between 06.00 p.m. to 11.00 p.m. by considering the petitioner's representation dated 02.03.2019 respectively.

For Petitioners : Mr.A.Sathishkumar
in all CrI.O.Ps

For Respondents : Mr.C.Raghavan
in all CrI.O.Ps Government Advocate
(Criminal Side)

C O M M O N O R D E R

Seeking permission to conduct cultural programmes in the event of (i) Palakuttapatti Arulmigu Sree Thottiyathu Mariamman Temple Festival at Omalur Taluk, Salem District on 08.03.2019 (ii) Selathampatti Arulmigu Sree Mariamman Temple Festival at Salem Taluk & District on 13.03.2019 (iii) Valakuttapatti Arulmigu Sree Poovai Amman Temple Festival at Salem Taluk & District on 15.03.2019 the petitioners made representation dated 02.03.2019 to the respondent. As the same has not been considered, the present Criminal Original petitions have been filed.

2. Heard the learned counsel appearing for the petitioners 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, these petitions are allowed and the petitioners are permitted to conduct cultural programme in the event of (i) Palakuttapatti Arulmigu Sree Thottiyathu Mariamman Temple Festival at Omalur Taluk, Salem District on 08.03.2019 (ii) Selathampatti Arulmigu Sree Mariamman Temple Festival at Salem Taluk & District on 13.03.2019 (iii) Valakuttapatti Arulmigu Sree Poovai Amman Temple Festival at Salem Taluk & District on 15.03.2019 however with the following conditions:-

(a) The cultural programme in connection with the event of (i) Palakuttapatti Arulmigu Sree Thottiyathu Mariamman Temple Festival at Omalur Taluk, Salem District on 08.03.2019 (ii) Selathampatti Arulmigu Sree Mariamman Temple Festival at Salem Taluk & District on 13.03.2019 (iii) Valakuttapatti Arulmigu Sree Poovai Amman

Temple Festival at Salem Taluk & District on 15.03.2019 shall be conducted 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 functions 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 respondents are directed to issue necessary permission, incorporating the above conditions.
ssr/kas

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
Omair Police Station,
Omair Taluk, Salem District.
 2. The Inspector of Police,
Suramangalam Police Station,
Suramangalam, Salem District.
 3. The Inspector of Police,
Mallur Police Station,
Mallur, Salem District.
 4. The Public Prosecutor,
High Court, Madras.
- +3ccs to Mr.A.Sathishkumar, Advocate SR.No. 21047,21048,21049

Cr1.O.P.Nos. 6072, 6074
and 6075 of 2019

A.SK(07/03/2019)