

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED 07.03.2019  
CORAM  
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No. 6263 of 2019

Kannan

.. Petitioner

Vs.

The Inspector of Police,  
Karumalaikoodal Police Station,  
Mettur Taluk,  
Salem District.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent police to grant permission and necessary police protection to perform the cultural programme i.e., Adal Padal on the eve of Sri Sakthi Mariyamman Temple festival at Duraiyur Post, Thalaiyur, Thermal Post, Mettur Dam-6, Salem District which is held to be on 08.03.2019 based on the representation of the petitioner dated 04.03.2019.

For Petitioner : Mr.M.Senthilkumar

For Respondent : Mr.C.Raghavan

Government Advocate (Crl. Side)

O R D E R

Seeking permission to conduct cultural programme on 08.03.2019, in the event of Sri Sakthi Mariyamman Temple festival at Duraiyur Post, Thalaiyur, Thermal Post, Mettur Dam-6, Salem District, the petitioner made a representation dated 04.03.2019 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 appearing for the respondent.

3. The Government Advocate, 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, the petitioner is permitted to conduct cultural programme in the event of Sri Sakthi Mariyamman Temple festival at Duraiyur Post, Thalaiyur, Thermal Post,

Mettur Dam-6, Salem District, however with the following conditions:-

(a) The cultural programme in connection with the event of Sri Sakthi Mariyamman Temple festival at Duraiyur Post, Thalaiyur, Thermal Post, Mettur Dam-6, Salem District, shall be conducted on 08.03.2019 between 6.00 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.

5. With the above directions, this Criminal Original Petition stands allowed.

Sd/-

Assistant Registrar(CS viii)

//True Copy//

Sub Assistant Registrar

rrriTo

1.The Inspector of Police,  
Karumalaikoodal Police Station,  
Mettur Taluk,Salem District.

2.The Public Prosecutor,  
High Court, Madras.

+1cc to Mr..M.Senthilkumar , Advocate SR.No. 21108

Cr1.O.P.No.6263 of 2019

A.SK(07/03/2019)