

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 21.03.2019

CORAM
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.Nos.7525, 7526, 7527 & 7529 of 2019

T.Jeyachandiran

.. Petitioner in
Crl.O.P.No.7525/2019

P.Velayutham

.. Petitioner in
Crl.O.P.No.7526/2019

G.Mariappan

.. Petitioner in
Crl.O.P.No.7527/2019

A.Jeyakrishnan

.. Petitioner in
Crl.O.P.No.7529/2019

Vs.

The Inspector of Police,
Thoppur Police Station,
Thoppur,
Dharmapuri District.

.. Respondent in
Crl.O.P.No.7525/2019

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

.. Respondent in
Crl.O.P.No.7526/2019

The Inspector of Police,
Harur Police Station,
Harur Taluk,,
Dharmapuri District.

.. Respondent in
Crl.O.P.No.7527/2019

The Inspector of Police,
Bargur Police Station,
Bargur Taluk,
Krishnagiri District.

.. Respondent in
Crl.O.P.No.7529/2019

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) Pappirettiur Arulmigu Sree Sakthi Mariamman Temple festival at

Nallampalli Taluk, Dharmapuri District, on 27.03.2019 between 06.00 P.M., to 11.00 P.M., by considering the petitioner's representation dated 16.03.2019 (ii) Arunachalam Pudur Arulmigu Sree Puthu Mariamman Temple Festival at Omalur Taluk, Salem District on 05.04.2019 between 06.00 P.M., to 11.00 P.M., by considering the petitioner's representation dated 16.03.2019 (iii) Soriyampatti Arulmigu Sree Peradachiamman Temple Festival at Harur Taluk, Dharmapuri District on 20.04.2019 between 06.00 P.M., to 11.00 P.M., by considering the petitioner's representation dated 16.03.2019 (iv) Ponnathur Village Arulmigu Sree Mariamman Temple Festival at Bargur Taluk, Krishnagiri District on 24.04.2019 between 06.00 P.M., to 11.00 P.M., by considering the petitioners representation dated 16.03.2019.

For Petitioners : Mr.A.Sathishkumar
in All Crl OPs

For Respondents : Mr.M.Mohamed Riyaz
in All Crl Ops Additional Public Prosecutor

C O M M O N O R D E R

Seeking permission to conduct cultural programmes in the event of (i) Pappirettiyur Arulmigu Sree Sakthi Mariamman Temple festival at Nallampalli Taluk, Dharmapuri District, on 27.03.2019 (ii) Arunachalam Pudur Arulmigu Sree Puthu Mariamman Temple Festival at Omalur Taluk, Salem District on 05.04.2019, (iii) Soriyampatti Arulmigu Sree Peradachiamman Temple Festival at Harur Taluk, Dharmapuri District on 20.04.2019 (iv) Ponnathur Village Arulmigu Sree Mariamman Temple Festival at Bargur Taluk, Krishnagiri District on 24.04.2019, the petitioners made representation dated 16.03.2019 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 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, these petitions are allowed and the petitioners are permitted to conduct cultural programme in the event of (i) Pappirettiyur Arulmigu Sree Sakthi Mariamman Temple festival at Nallampalli Taluk, Dharmapuri District, on 27.03.2019 (ii) Arunachalam Pudur Arulmigu Sree Puthu Mariamman Temple Festival at Omalur

Taluk, Salem District on 05.04.2019, (iii) Soriyampatti Arulmigu Sree Peradachiamman Temple Festival at Harur Taluk, Dharmapuri District on 20.04.2019 (iv) Ponnathur Village Arulmigu Sree Mariamman Temple Festival at Bargur Taluk, Krishnagiri District on 24.04.2019, however with the following conditions:-

(i) Pappirettiyur Arulmigu Sree Sakthi Mariamman Temple festival at Nallampalli Taluk, Dharmapuri District, on 27.03.2019 (ii) Arunachalam Pudur Arulmigu Sree Puthu Mariamman Temple Festival at Omalur Taluk, Salem District on 05.04.2019, (iii) Soriyampatti Arulmigu Sree Peradachiamman Temple Festival at Harur Taluk, Dharmapuri District on 20.04.2019 (iv) Ponnathur Village Arulmigu Sree Mariamman Temple Festival at Bargur Taluk, Krishnagiri District on 24.04.2019, 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 respondent is directed to issue necessary permission, incorporating the above conditions.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mpa/rm

To

1. The Inspector of Police,
Thoppur Police Station,
Thoppur,
Dharmapuri District.

2.The Inspector of Police,
Tharamangalam Police Station,
Tharamangalam,
Salem District.

3.The Inspector of Police,
Harur Police Station,
Harur Taluk,,
Dharmapuri District.

4.The Inspector of Police,
Bargur Police Station,
Bargur Taluk,Krishnagiri District.

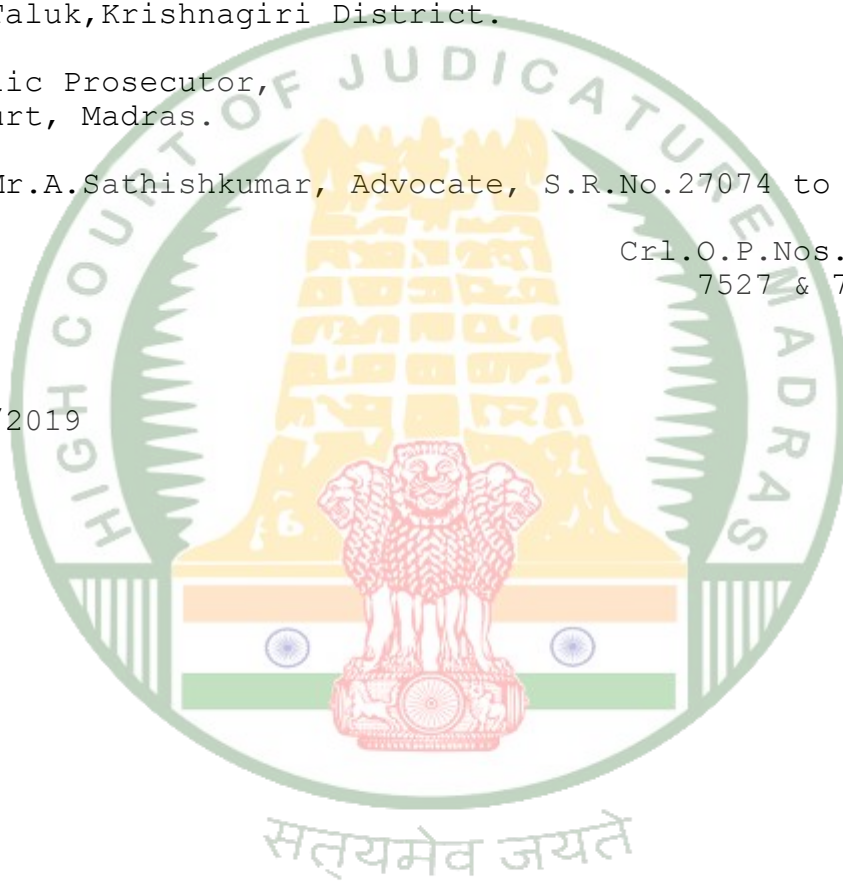
5.The Public Prosecutor,
High Court, Madras.

+4ccs to Mr.A.Sathishkumar, Advocate, S.R.No.27074 to 27077

Crl.O.P.Nos.7525, 7526,
7527 & 7529 of 2019

EV(CO)

rrs 22/03/2019



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