

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 22.03.2019

CORAM
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.7845 of 2019

S.Subramani

.. Petitioner

Vs

State rep. by
The Inspector of Police,
Tharamangalam Police Station,
Omalur Taluk
Salem.

.. 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 Programme (Adal Padal) at Sri Seedeve Amman Srikonakarattu Mariamman, Yellaiur Village Omalur Taluk, Salem District on 25.03.2019 by considering the petitioner's representation dated 20.03.2019.

For Petitioner : Mr.J.Franklin

For Respondent : Mr.C.Raghavan

Govt. Advocate (Crl. Side)

O R D E R

Seeking permission to conduct cultural programme in the event of Sri Seedeve Ammam Srikonakarattu Mariamman, Yellaiur Village Omalur Taluk, Salem District, the petitioner made a representation dated 20.03.2019 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 Govt. Advocate (crl. Side) appearing for the respondents.

3. The learned Govt. Advocate (crl. 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, the petitioner is permitted to conduct cultural programme in the event of Sri Seedeve Ammam Srikonakarattu Mariamman, Yellaiur

Village Omalur Taluk, Salem District however with the following conditions:-

(a) The cultural programme in connection with the event of Sri Seedeivi Ammam Srikonakarattu Mariamman, Yellaiur Village Omalur Taluk, Salem District shall be conducted on 25.03.2019 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.

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

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsn/ssr

To

1.The Inspector of Police,
Tharamangalam Police Station,
Omalur Taluk, Salem.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.J.Franklin, Advocate, S.R.No.27194

Cr1.O.P.No.7845 of 2019

RV (CO)

rrs 22/03/2019