

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 26.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.Nos.8078, 8080 & 8081 of 2019

C.Karthickraja

.. Petitioner in
Crl.O.P.No.8078/2019

M.Sundararajaperumal

.. Petitioner in
Crl.O.P.No.8080/2019

M.Suresh

.. Petitioner in
Crl.O.P.No.8081/2019

Vs.

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

.. Respondent in
Crl.O.P.No.8078/2019

The Inspector of Police,
Velli Tiruppur Police Station,
Velli Tiruppur,
Erode District.

.. Respondent in
Crl.O.P.No.8080/2019

The Inspector of Police,
Rasipuram Police Station,
Rasipuram,
Namakkal District.

.. Respondent in
Crl.O.P.No.8081/2019

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) Yellaiyur Arulmigu Sree Deviamman Temple Festival at Omalur Taluk, Salem District on 27/03/2019 between 06.00PM to 11.00PM by considering the Petitioner's representation dated 21/03/2019 (ii) Chinnamathur Arulmigu Sree Kannanur Mariamman Temple

Festival at Anthiyur Taluk, Erode District on 03/04/2019 between 06.00PM to 11.00PM by considering the Petitioner's representation dated 20/03/2019 (iii) Koneripatti Arulmigu Sree Kaliyamman Temple Festival at Rasipuram Taluk, Namakkal District on 04/04/2019 between 06.00PM to 11.00PM by considering the Petitioner's representation dated 21/03/2019.

For Petitioners : Mr.A.Sathishkumar
For Respondents : Mr.C.Raghavan
Government Advocate (Crl.Side)

C O M M O N O R D E R

Seeking permission to conduct cultural programmes in the event of (i) Yellaiyur Arulmigu Sree Deviamman Temple Festival at Omalur Taluk, Salem District on 27/03/2019 (ii) Chinnamathur Arulmigu Sree Kannanur Mariamman Temple Festival at Anthiyur Taluk, Erode District on 03/04/2019, (iii) Koneripatti Arulmigu Sree Kaliyamman Temple Festival at Rasipuram Taluk, Namakkal District on 04/04/2019, the petitioners made representation dated 21.03.2019 & 20.03.2019 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 (Crl.Side) appearing for the respondents.

3. The learned Government 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, these petitions are allowed and the petitioners are permitted to conduct cultural programme in the event of (i) Yellaiyur Arulmigu Sree Deviamman Temple Festival at Omalur Taluk, Salem District on 27/03/2019 (ii) Chinnamathur Arulmigu Sree Kannanur Mariamman Temple Festival at Anthiyur Taluk, Erode District on 03/04/2019, (iii) Koneripatti Arulmigu Sree Kaliyamman Temple Festival at Rasipuram Taluk, Namakkal District on 04/04/2019, however with the following conditions:-

(i) Yellaiyur Arulmigu Sree Deviamman Temple Festival at Omalur Taluk, Salem District on 27/03/2019 (ii) Chinnamathur Arulmigu Sree Kannanur Mariamman Temple Festival at Anthiyur Taluk, Erode District on 03/04/2019, (iii) Koneripatti Arulmigu Sree Kaliyamman Temple Festival at Rasipuram Taluk, Namakkal District on 04/04/2019, 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(CS III)

//True Copy//

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Velli Tiruppur Police Station,
Velli Tiruppur,
Erode District.

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3.The Inspector of Police,
Rasipuram Police Station,
Rasipuram,
Namakkal District.

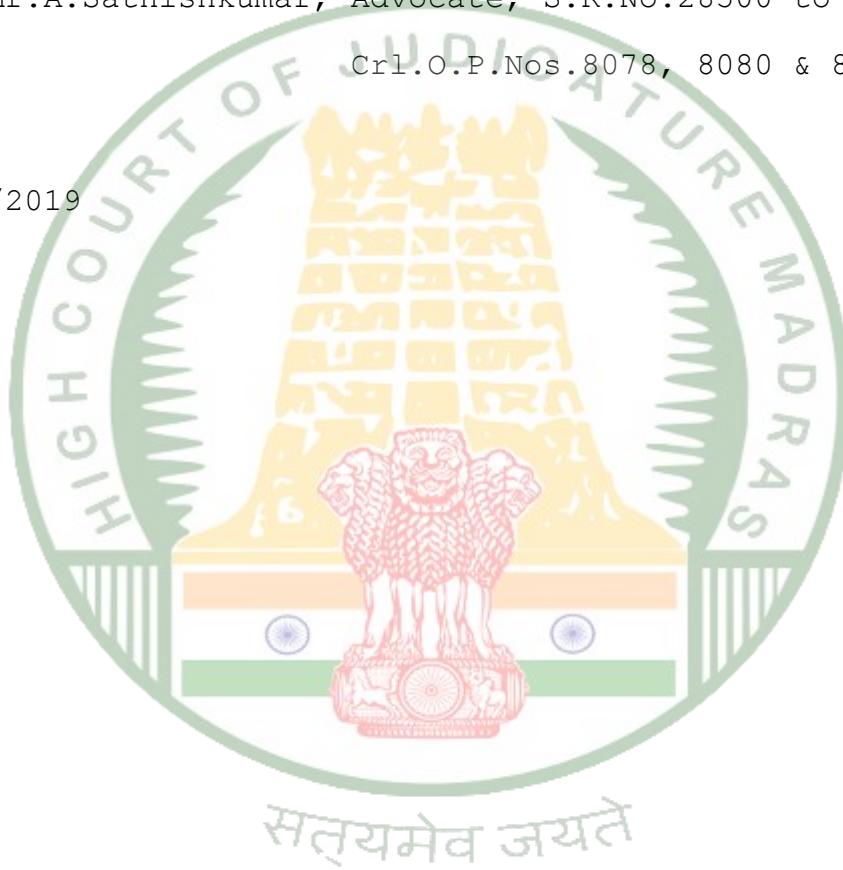
4.The Public Prosecutor,
High Court, Madras.

+3ccs to Mr.A.Sathishkumar, Advocate, S.R.No.28500 to 25502

CrI.O.P.Nos.8078, 8080 & 8081 of 2019

PVS (CO)

rrs 26/03/2019



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