

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 27.03.2019
CORAM
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.8241 of 2019

M.Govindan

.. Petitioner

Vs.

The State,
Represented by
The Inspector of Police,
Thaaramangalam Police Station,
Omalur, Salem District.

.. Respondent

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to direct the respondent to consider the petitioner's representation dated 22.03.2019 made to the respondent to grant permission and protection to conduct the cultural programme which is schedule to be conducted on 29.03.2019 at 6.00p.m., Sri Seedevi Amman Srikonakarattu Mariamman, Yellaiur Village, Omalur Taluk, Salem District.

For Petitioner : M/s.J.Franklin

For Respondent : Mr.C.Raghavan
Government Advocate (Crl. Side)

ORDER

Seeking permission to conduct the cultural programme [Adal Padal viz., Maya Abinaya] to be held on 29.03.2019 in the event of Sri Seedevi Amman Srikonakarattu Mariamman, Yellaiur Village, Omalur Taluk, Salem District, based on the petitioner's representation dated 22.03.2019 to the respondent police. 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 (Crl. Side) appearing for the respondent.

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, the petitioner is permitted to conduct cultural programme [Adal Padal viz., Maya Abinaya] to be held on 29.03.2019 in the event of Sri Seedeivi Amman Srikonakarattu Mariamman, Yellaiur Village, Omalur Taluk, Salem District, on 29.03.2019 between 06.00 p.m. to 10.00p.m., however with the following conditions:-

(a) The cultural programme in connection with the event of [Adal Padal viz., Maya Abinaya] to be held on 29.03.2019 in the event of Sri Seedeivi Amman Srikonakarattu Mariamman, Yellaiur Village, Omalur Taluk, Salem District, shall be conducted on 29.03.2019 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

msm

To

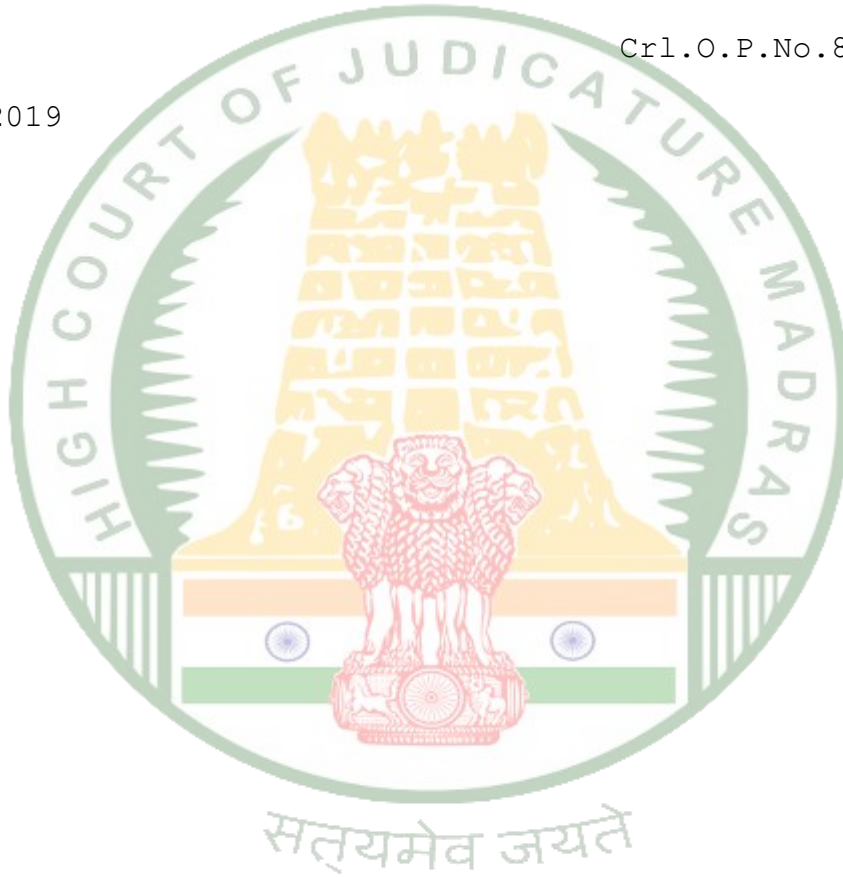
1. The Inspector of Police,
Thaaramangalam Police Station,
Omalur, Salem District.

2.The Public Prosecutor
High Court of Madras,
Chennai.

+1cc to M/s.J.Franklin, Advocate sr.no.28815

Cr1.O.P.No.8241 of 2019

nr 28/03/2019



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