

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.10583 of 2019

D.Venkatesan

... Petitioner

Vs.

1.The Superintendent of Police,
Dharmapuri,
Dharmapuri District.

2.The Inspector of Police,
Eriyur Police Station,
Dharmapuri District.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to issue direction to the 2nd respondent to give Bandobust for permission to conduct the cultural programme on 23.04.2019 in the event of Arulmighu Sri Muthumariamman Koil at Thinnapellur, Kanchalanathan, Dharmapuri-636 810 based on the petitioner's representation dated 12.04.2019.

For Petitioner : Mr.R.Gopinath
For Respondents : Mr.C.Raghavan
Government Advocate (Crl.side)

O R D E R

Seeking permission to conduct cultural programme in the event of Arulmighu Sri Muthumariamman Koil at Thinnapellur, Kanchalanathan, Dharmapuri, the petitioner made a representation dated 12.04.2019, to the 2nd 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 (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, the petitioner is permitted to conduct cultural programme in the event of Arulmighu Sri Muthumariamman Koil at Thinnapellur, Kanchalanathan, Dharmapuri on 23.04.2019, however with the following conditions:-

(a) The petitioner shall pay a sum of Rs.10,000/- (Rupees ten thousand only) as charges, to the respondent Police and on receipt of the same, the respondent Police is directed to issue receipt and proceed further.

(b) The cultural programme in connection with the event of Arulmighu Sri Muthumariamman Koil at Thinnapellur, Kanchalanathan, Dharmapuri shall be conducted on 23.04.2019 between 06.00 p.m. and 10.00 p.m.

(c) There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants.

(d) Double meaning songs should not be played so as to spoil the minds of students and youths.

(e) No dance or songs, touching upon any political party or religion or community or caste shall be played.

(f) No flex boards in support of any political party or communal leader, shall be erected at the premises of the programme.

(g) The function shall not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(h) 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

(i) Similarly, the police is directed to stop the dance programme, if it is played beyond the permitted time limit.

(j) 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

rm

To:

1.The Superintendent of Police,
Dharmapuri,
Dharmapuri District.

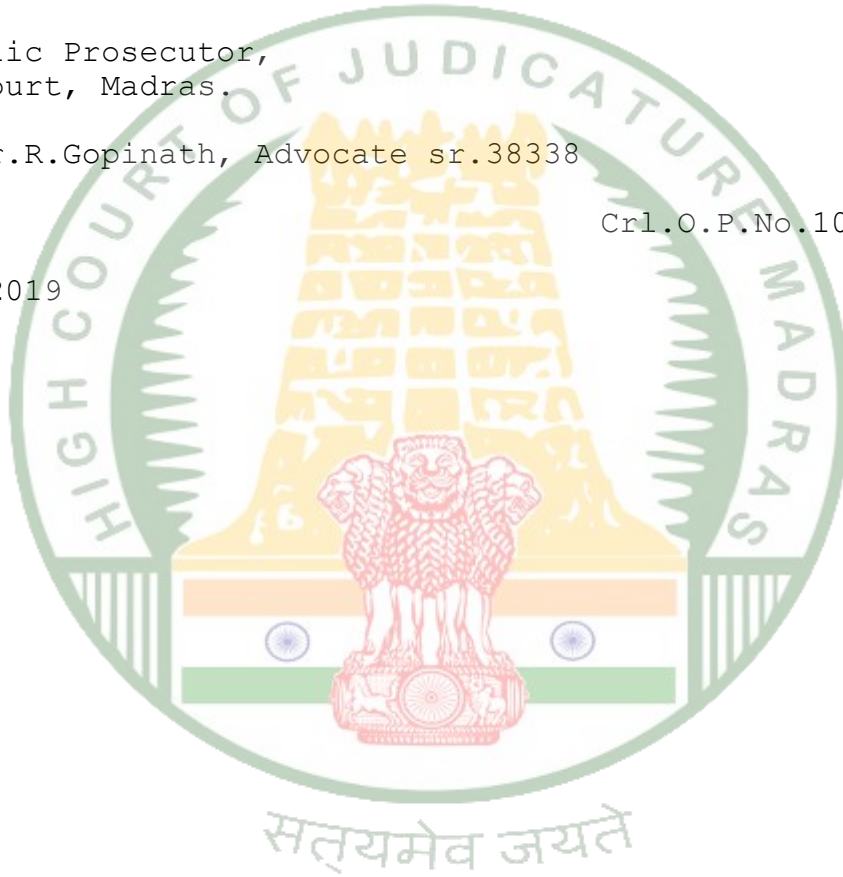
2.The Inspector of Police,
Eriyur Police Station,
Dharmapuri District.

3.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.R.Gopinath, Advocate sr.38338

Crl.O.P.No.10583 of 2019

nr 22/04/2019



WEB COPY