

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.10841 of 2019

M.Prakash

.. Petitioner

Vs

1. The Superintendent of Police,
Salem
Salem-636 001.

2. The Inspector of Police,
Karumalaikoodal Police Station,
Mettur Taluk,
Salem District-636 402

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to grant permission to perform the program of 'Adal Padal' on 01.05.2019 at about 06.00 P.M to 11.00 P.M at 'Sa.Pudhureddiyur Sri Sakthi Mariamman Temple festival' is situated at Kompuran Kadu Village, Karuppureddiyur Post, Mettur Taluk, Salem District and to provide adequate Police Protection based on the petitioner's representations dated 02.04.2019.

For Petitioner : Mr.S.Mayilnathan

For Respondents : Mr.M.Mohamed Riyaz
Addl. Public Prosecutor

O R D E R

Seeking permission to conduct cultural programme in the event of 'Sa.Pudhureddiyur Sri Sakthi Mariamman Temple festival' is situated at Kompuran Kadu Village, Karuppureddiyur Post, Mettur Taluk, Salem District on 01.05.2019, the petitioner made a representation dated 02.04.2019 to the respondents. 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 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, the petitioner is permitted to conduct cultural programme in the event of ''Sa.Pudhureddiyur Sri Sakthi Mariamman Temple festival'' is situated at Kompuran Kadu Village, Karuppureddiyur Post, Mettur Taluk, Salem District on 01.05.2019, however with the following conditions:-

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

(b) The cultural programme in connection with the event of ''Sa.Pudhureddiyur Sri Sakthi Mariamman Temple festival'' is situated at Kompuran Kadu Village, Karuppureddiyur Post, Mettur Taluk, Salem District on 01.05.2019, 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 respondents are directed to issue necessary permission, incorporating the above conditions.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vsn/mpa

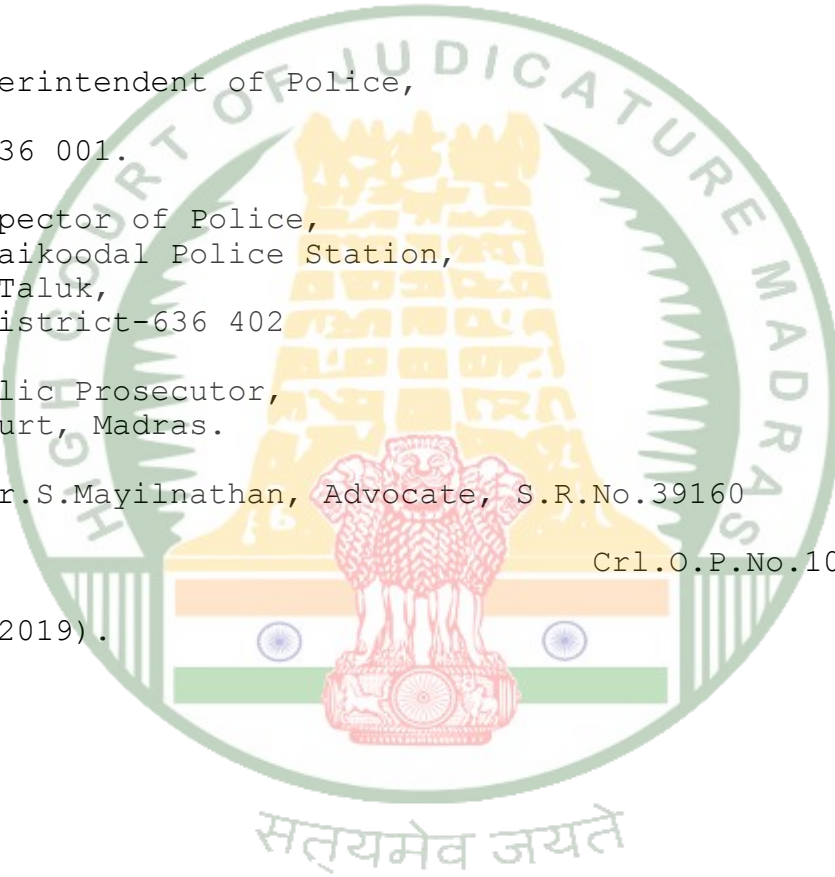
To

1. The Superintendent of Police,
Salem
Salem-636 001.
2. The Inspector of Police,
Karumalaikoodal Police Station,
Mettur Taluk,
Salem District-636 402
3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.S.Mayilnathan, Advocate, S.R.No.39160

Crl.O.P.No.10841 of 2019

KAN(CO)
SSM(26/04/2019).



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