

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.11137 of 2019

S.Anandhakumar

... Petitioner

Vs.

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

2.The Inspector of Police
Deevattipatti Police Station
Kadayampatti Taluk
Salem District 636 351

... Respondents

Prayer: Criminal Original Petitions are filed under Section 482 of Criminal Procedure Code, to issue a direction to the respondent to grant permission to perform the program of "Adal Padal" on 26.04.2019 at about 6.00 p.m. To 11.00 p.m. At "Sri Mariamman Temple Festival" is situated at Kadayampatti Village, Kadayampatti Post, Kadayampatti Taluk, Salem District and to provide adequate police protection based on the petitioner's representation dated 21.04.2019.

For Petitioner : Mr.S.Mayilnathan

For Respondent : Mr.C.Raghavan

Govt. Advocate (crl.side)

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The Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to issue a direction to the respondent to grant permission to perform the program of "Adal Padal" on 26.04.2019 at about 6.00 p.m. To 11.00 p.m. At "Sri Mariamman Temple Festival" is situated at Kadayampatti Village, Kadayampatti Post, Kadayampatti Taluk, Salem District and to provide adequate police protection based on the petitioner's representation dated 21.04.2019.

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 Adal Padal in the event of Sri Mariyamman Temple festival situated at Kadayampatti Village, Kadayampatti Post, Kadayampatti Taluk, Salem District, 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 Adal Padal programme in connection with the event of Sri Mariyamman Temple at Kadayampatti Village, Kadayampatti Post, Kadayampatti Taluk, Salem Districts shall be conducted on 26.04.2019 between 06.00 p.m. and 11.00 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.
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Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

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

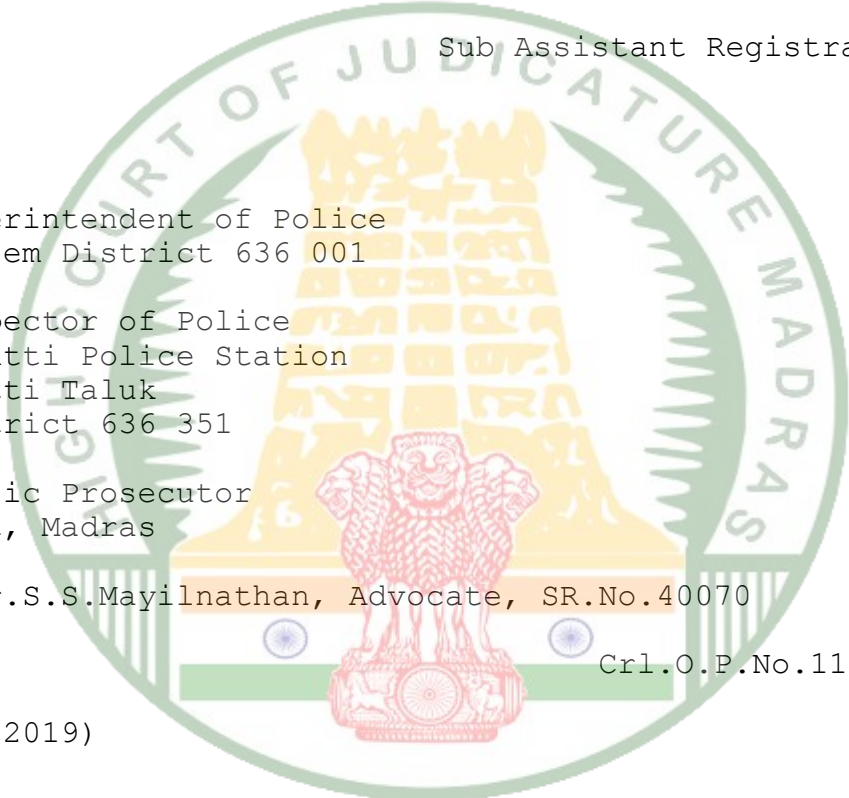
2.The Inspector of Police
Deevattipatti Police Station
Kadayampatti Taluk
Salem District 636 351

3.The Public Prosecutor
High Court, Madras

+1cc to Mr.S.S.Mayilnathan, Advocate, SR.No.40070

Cr1.O.P.No.11137 of 2019

Kak(25/04/2019)

The seal of the Madras High Court is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion standing in front of it. The words "COURT OF JUDICATURE MADRAS" are written in a green circle around the central image. Below the lion, the motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script. The entire seal is overlaid with a large, semi-transparent "WEB COPY" watermark.

सत्यमेव जयते

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