

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.11198 of 2019

K.Ragupathi

..Petitioner

Vs

1. The Deputy Superintendent of Police,
Mettur,
Salem District.
 2. The Inspector of Police,
Mechery Police Station,
Salem District.
- .. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the second respondent police to give permission and police protection to conduct the Nattu Pura Kalai Nigalchi in Sri Pon Marriamman Kovil festival on 03.05.2019 at Bukkampatti Colony, Mettur, Salem District considering the representation dated 21.04.2019.

For Petitioner : Mr.N.Rajesh Kannan

For Respondents : Mr.C.Raghavan
Govt. Advocate (Crl. Side)

O R D E R

Seeking permission to conduct cultural programme in the event of Sri Pon Marriamman Temple Festival, at Bukkampatti Colony, Mettur, Salem District on 03.05.2019, the petitioner made a representation dated 21.04.2019 to the 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 Sri Pon Marriamman Temple Festival, at Bukkampatti Colony, Mettur, Salem District on 03.05.2019, however with the following conditions:-

(a) The petitioner shall pay a sum of Rs.10,000/- (Rupees ten thousand only) as charges, to the 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 Sri Pon Marriamman Temple Festival, at Bukkampatti Colony, Mettur, Salem District on 03.05.2019, 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 respondent is directed to issue necessary permission, incorporating the above conditions.

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

vsn/mpa

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

To

1.The Deputy Superintendent of Police,
Mettur,
Salem District.

2.The Inspector of Police,
Mechery Police Station,
Salem District.

3.The Public Prosecutor,
High Court, Madras.

+3CCs to Mr.N.Rajesh Kannan, Advocate, SR.No.40241

Crl.O.P.No.11198 of 2019

Kak(30/04/2019)



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