

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 27.04.2019
CORAM
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.11564 of 2019

R.Bhoopathi

... Petitioner

Versus

The State Represented by
The Inspector of Police,
Magudam Chavadi Police Station,
Ther Vedhi Ilampillai Kadayampatti
Sangagiri Taluk
Salem District.

... Respondent

Prayer:- Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to grant permission to give police protection to the petitioner herein for organizing the cultural function to Arulmigu Sri Maha Sakthi Mariamman Temple in Ther Vedhi, Ilampillai Kadayampatti Village on 08.05.2019 by the petitioner representation dated 25.04.2019.

For Petitioner : Ms.S.Ashokkumar

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

Seeking permission to conduct cultural programme in the event of Arulmigu Sri Maha Sakthi Mariamman Temple Festival at Ther Vedhi, Ilampillai Kadayampatti Village, the petitioner made a representation dated 25.04.2019 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 Additional Public Prosecutor appearing for the respondent.

3. 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 Arulmigu Sri Maha Sakthi Mariamman Temple Festival at Ther Vedhi, Ilampillai Kadayampatti Village, 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 are directed to issue receipt and proceed further.

(b) The cultural programme in connection with the event of Arulmigu Sri Maha Sakthi Mariamman Temple Festival at Ther Vedhi, Ilampillai Kadayampatti Village, shall be conducted on 08.05.2019 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.

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Sd/-
Assistant Registrar(CO)

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Sub Assistant Registrar

To

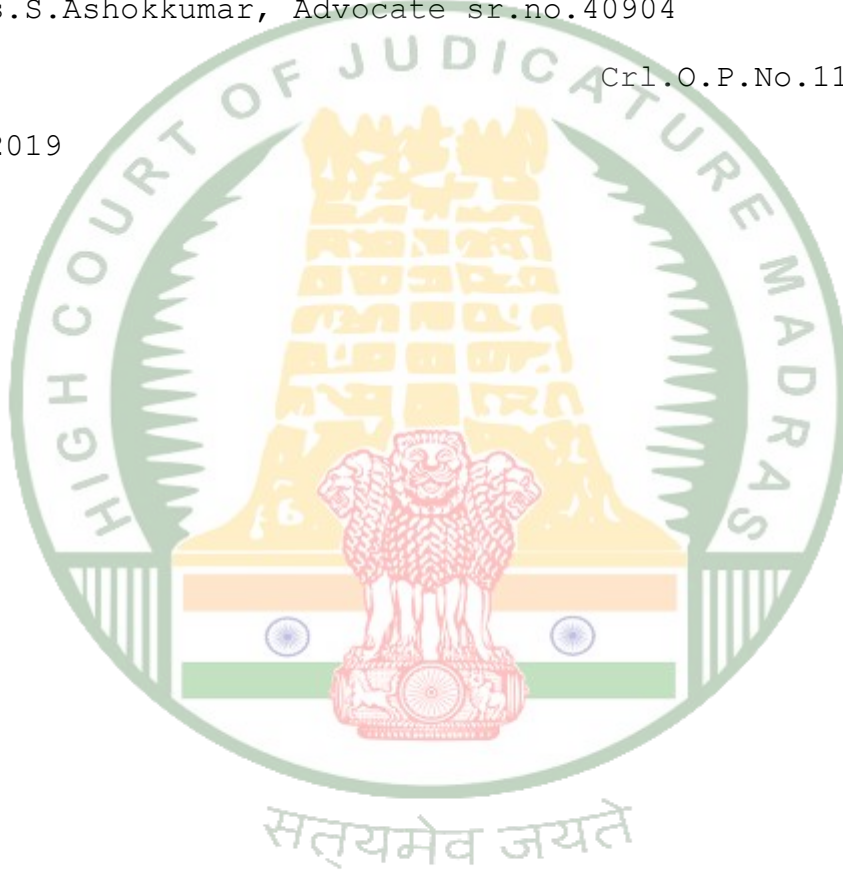
1. The Inspector of Police,
Magudam Chavadi Police Station,
Ther Vedhi Ilampillai Kadayampatti
Sangagiri Taluk
Salem District.

2. The Public Prosecutor
High Court, Madras.

+lcc to Ms.S.Ashokkumar, Advocate sr.no.40904

Crl.O.P.No.11564 of 2019

nr 02/05/2019



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