

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.11699 of 2019

K.Periyasamy

... Petitioner

Vs

1.The Superintendent of Police,
Namakkal, Namakkal District 637 001.

2.The Inspector of Police,
Erumapatty Police Station,
Sendamangalam Taluk,
Namakkal District 637 013.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent to grant permission to perform the program of "Adal Padal" on 18.05.2019 at about 06.00 PM to 11.00 PM at "Sri Mariamman Temple Festival" is situated at Kejacombai Village, Pottireddipatti Post, Sendamangalam Taluk, Namakkal District and to provide adequate police protection based on the petitioner's representation dated 02.04.2019.

For Petitioner : Mr.S.Mayilnathan

For Respondents: Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the respondent to grant permission to perform the program of "Adal Padal" on 18.05.2019 at about 06.00 PM to 11.00 PM at "Sri Mariamman Temple Festival" is situated at Kejacombai Village, Pottireddipatti Post, Sendamangalam Taluk, Namakkal District and to provide adequate police protection based on the petitioner's representation dated 02.04.2019.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor 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 "Sri Mariamman Temple Festival" is situated at Kejacombai Village, Pottireddipatti Post, Sendamangalam Taluk, Namakkal District however with the following conditions:-

(a) The cultural programme in connection with the event of "Sri Mariamman Temple Festival" is situated at Kejacombai Village, Pottireddipatti Post, Sendamangalam Taluk, Namakkal District shall be conducted on 18.05.2019 at about 06.00 PM to 11.00 PM.

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

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

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

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

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

(g) 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

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

(i) The respondent is directed to issue necessary permission, incorporating the above conditions.

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

s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

rna

To

1.The Superintendent of Police,
Namakkal, Namakkal District 637 001.

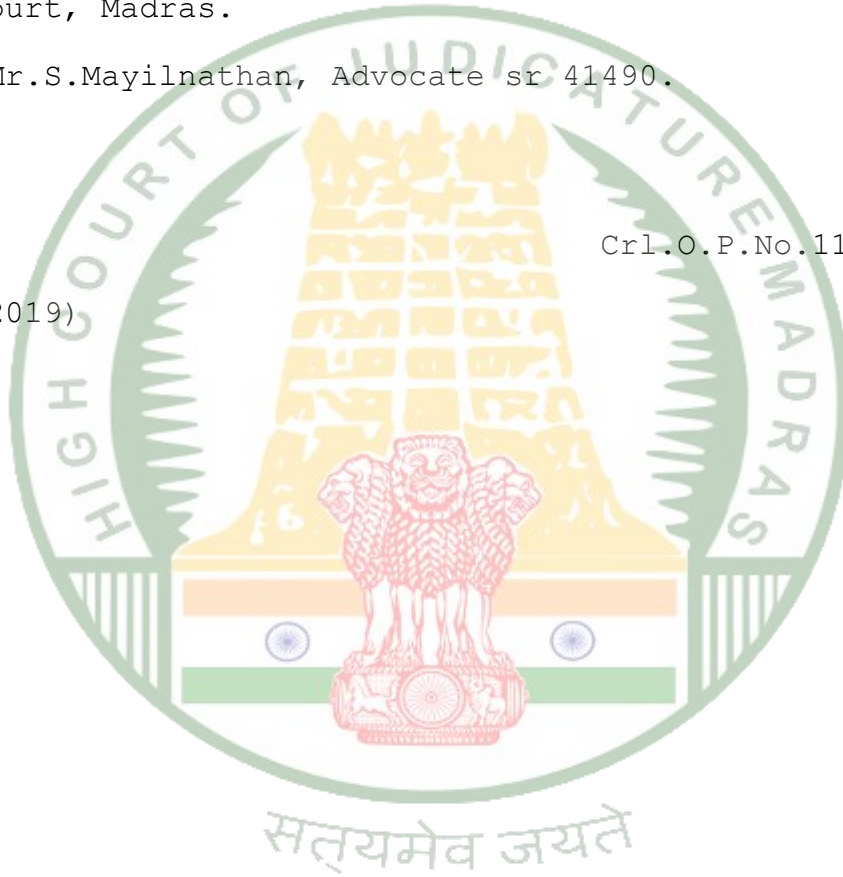
2.The Inspector of Police,
Erumapatty Police Station,
Sendamangalam Taluk,
Namakkal District 637 013.

3.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.S.Mayilnathan, Advocate sr 41490.

Crl.O.P.No.11699 of 2019

SP(03/05/2019)



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