

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.11934 of 2019

K.Perumal

.. Petitioner

Vs

The State rep by  
The Inspector of Police,  
Mallur Police Station,  
Salem.

.. Respondent

Prayer:

Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to grant permission and to give police protection by considering the petitioner's representation dated 25.04.2019 for conducting cultural programme, which is schedule to be held on 12.05.2019 at Shree Mariyamman Temple at Gandhi Nagar Post, Nazhikkalpatty, Salem District.

For Petitioner : Mr.N.Vijaya Baskar  
for Law Vision

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

O R D E R

Seeking permission to conduct cultural programme in the event of Shree Mariyamman Temple Festival at Gandhi Nagar Post, Nazhikkalpatty, Salem District on 12.05.2019, 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. 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 Shree Mariyamman Temple Festival at Gandhi Nagar Post, Nazhikkalpatty, Salem District on 12.05.2019, 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 Shree Mariyamman Temple Festival at Gandhi Nagar Post, Nazhikkalpatty, Salem District on 12.05.2019, between 06.00 p.m. to 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.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vsn/mpa

To

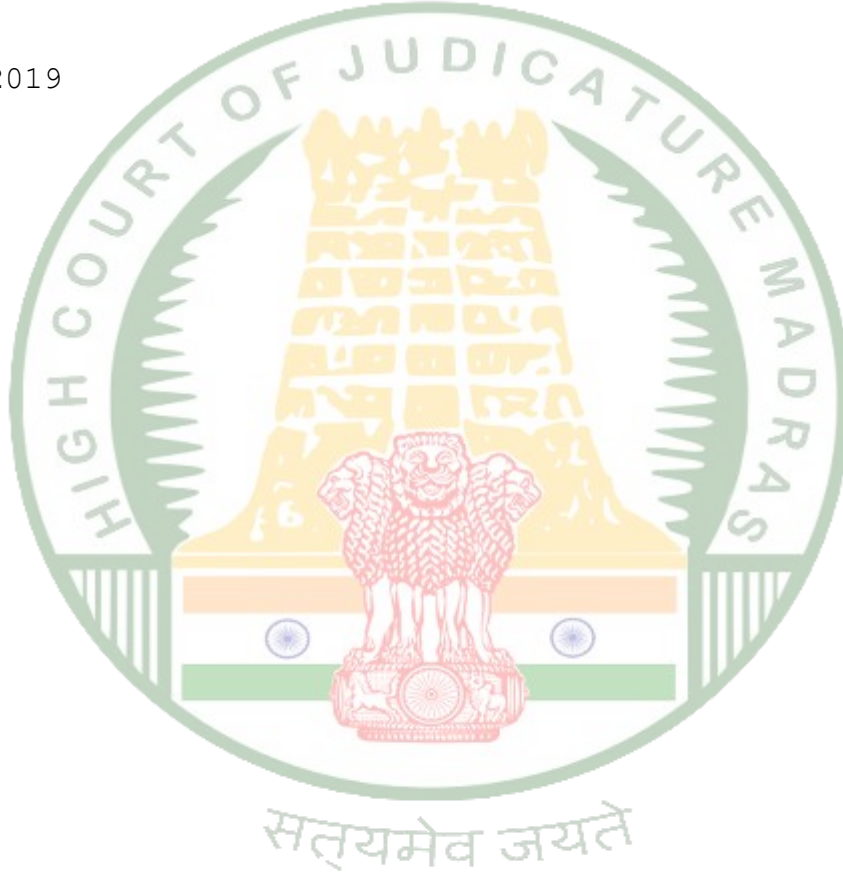
1. The Inspector of Police,  
Mallur Police Station,  
Salem.

2. The Public Prosecutor,  
High Court, Madras.

+lcc to M/s.Law Vision, Advocate, S.R.No.42300

Crl.O.P.No.11934 of 2019

LN(CO)  
CS/08/05/2019



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