

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 08.05.2019

CORAM
THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Cr1.O.P.No.12361 of 2019

P.Raja

.. Petitioner

Vs.

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

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

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents to grant permission to conduct cultural program (Aadal & Padal) in the Arulmigu Sri Kunju Mariamman Koil situated at Putarediyur, Mechari Village, Mettur Taluk, Salem District on 10.05.2019 by considering the petitioner's representation dt.30.04.2019 and to give protection.

For Petitioner : M.Rajkumar

For Respondents : Ms.M.Prabhavathi, APP

O R D E R

Seeking permission to conduct cultural programme (Adal Padal) in the event of Arulmigu Sri Kunju Mariamman Koil situated at Putarediyur, Mechari Village, Mettur Taluk, Salem District the petitioner made a representation dated 30.04.2019 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 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 Arulmigu Sri Kunju Mariamman Koil situated at Putarediyur, Mechari Village, Mettur Taluk, Salem District, however with the following conditions:-

(a) The cultural programme in connection with the event of Arulmigu Sri Kunju Mariamman Koil situated at Putarediyur, Mechari Village, Mettur Taluk, Salem District shall be conducted on 10.05.2019 from 07.00 p.m to 10.00 p.m.

(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 respondents are directed to issue necessary permission, incorporating the above conditions.

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

Sd/-

Assistant Registrar (V.O)

//True Copy//

Sub Assistant Registrar

KP

To

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

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

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3.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.M.Rajkumar, Advocate, S.R.No.43504

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CP(CO)

RRS (09/05/2019)



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