

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.05.2019

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.13803 of 2019

B.Senthilkumar

.. Petitioner

-Vs-

State Rep by

The Inspector of Police,
Erumapatti Police Station,
Erumapatti,
Namakkal District.

... Respondent

Prayer: Criminal Original petition has been filed under Section 482 of Cr.P.C. to direct the respondent authority to give police protection and permission to conduct Cultural programme (Adal Padal Nigalchi) in the event of Palappatti Arulmigu Sree Bhagavathiamman Temple Festival at Senthamangalam Taluk, Namakkal District on 31/05/2019 between 06.00 PM to 11.00 PM by considering the petitioner's representation dated 25.05.2019.

For petitioner : Mr.A.Sathishkumar

For respondent : Ms.S.Thankira

Government Advocate
(Criminal Side)

O R D E R

This Criminal Original Petition has been filed to direct the respondent authority to give police protection and permission to conduct Cultural programme (Adal Padal Nigalchi) in the event of Palappatti Arulmigu Sree Bhagavathiamman Temple Festival at Senthamangalam Taluk, Namakkal District on 31/05/2019 between 06.00 PM to 11.00 PM.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent.

3.The learned counsel for the petitioner would submit that the petitioner is the Member of Vila Committee. The temple festival will be celebrated in a grand manner every year and during the festival, the villagers planned to conduct Cultural Programme on 31.05.2019. In this regard, the petitioner gave a representation to the respondent on 25.05.2019. Since no action has been taken, the present petition has been filed.

4. The learned Government Advocate (Criminal Side) appearing for the respondent, on instructions, would submit that the respondent have no serious objection. She further submitted that permission may be granted subject to stringent conditions.

5. Considering the facts and circumstances of the case, the Criminal Original Petition is disposed of with the following directions:

The respondent/Inspector of Police, Erumapatti Police Station, Erumapatti, Namakkal District is directed to consider the representation of the petitioner, dated 25.05.2019 and to give permission and to provide police protection for Cultural Dance Programme done by Palappatti Arulmigu Sree Bhagavathiamman Temple Festival at Senthamangalam Taluk, Namakkal District, scheduled to be held on 31.05.2019, subject to the following conditions;

(a) Cultural Programme (Adal Padal Nigalchi) done by Palappatti Arulmigu Sree Bhagavathiamman Temple Festival at Senthamangalam Taluk, Namakkal District scheduled to be held on 31.05.2019, should be completed before 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 as they will 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 conducted beyond the permitted time limit.

(i) The petitioner as well as the organizers shall give a letter of undertaking agreeing to strictly adhere to the above

conditions.

6.It is open to the respondent/Inspector of Police to impose any further restrictions or conditions purely in the interest of preserving public order and tranquility. There can be a total ban for putting up any Flex Board representing any community, political party or organization.

7. In the result, this Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

ssr/rsi

To

1. The Inspector of Police,
Erumapatti Police Station,
Erumapatti,
Namakkal District.

2. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.A.Sathish Kumar, Advocate sr 44461.

Crl.O.P.No.13803 of 2019

RK(CO)

SP(31/05/2019)

सत्यमेव जयते

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