

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.05.2019

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.13949 of 2019

Muthazhagu

.. Petitioner

-Vs-

The Inspector of Police,
Aathur Town Police Station,
Salem 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) at Thanimarathukadu Arulmighu Sri Muthu Mariamman Temple at Salem District on 06.06.2019 by considering the petitioner's representation dated 27.05.2019.

For petitioner : Mr.R.P.Murugan Raja

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 to give police protection and permission to conduct Cultural Programme (Adalum Padalum) at Thanimarathukadu Arulmighu Sri Muthu Mariamman Temple at Salem District, scheduled to be held on 06.06.2019.

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 Secretary of Vizha Committee of the Thanimarathukadu Arulmighu Sri Muthu Mariamman Temple at Salem District. The temple festival will be celebrated in a grand manner every year and during the festival, the villagers planned to conduct Cultural Programme on 06.06.2019. In this regard, the

petitioner gave a representation to the respondent on 27.05.2019. 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 has 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, Aathur Town Police Station, Salem District is directed to consider the representation of the petitioner, dated 27.05.2019 and to give permission and to provide police protection for Cultural Dance Programme done by Thanimarathukadu Arulmighu Sri Muthu Mariamman Temple at Salem District, scheduled to be held on 06.06.2019, subject to the following conditions;

(a) Cultural Programme (Adal Padal Nigalchi) done by Thanimarathukadu Arulmighu Sri Muthu Mariamman Temple at Salem District, scheduled to be held on 06.06.2019, 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 (V.O)

//True Copy//

Sub Assistant Registrar

rsi/ssr

To

1. The Inspector of Police,
Aathur Town Police Station,
Salem District.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr. P.R.Murugan Raja, Advocate, S.R.No. 44423

CrI.O.P.No.13949 of 2019

RR(CO)
GN(31/05/2019)