

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.05.2019

CORAM:

THE HONOURABLE MR. JUSTICE M. NIRMAL KUMAR

CrI.O.P.No.13988 of 2019

M.Prabu

...Petitioner

Vs.

The Inspector of Police,
Kadathur Police Station,
Dharmapuri District.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent to consider the petitioner's representation dated 06.05.2019 and to give adequate police protection in order to conduct the cultural program which is scheduled to be held on 05.06.2019 in Sri Mariyamam Temple, situated at Pudakattan Kottai, Kedhureddipatt Village, Pappireddipatti T.K., Dharmapuri District - 635 302.

For Petitioner : Mr.D.Jagadeesan

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 consider the petitioner's representation dated 06.05.2019 and to give adequate police protection in order to conduct the cultural program which is scheduled to be held on 05.06.2019 in Sri Mariyamam Temple, situated at Pudakattan Kottai, Kedhureddipatt Village, Pappireddipatti T.K., Dharmapuri District - 635 302.

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

3.The learned counsel for the petitioner would submit that the petitioner is the Dharmakatha of Sri Mariyamam Temple, situated at Pudakattan Kottai, Kedhureddipatt Village, Pappireddipatti T.K., Dharmapuri District - 635 302. The temple festival will be celebrated in a grand manner every year and

during the festival, the villagers planned to conduct Cultural Programme on 05.06.2019. In this regard, the petitioner gave a representation to the respondent on 06.05.2019. 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 is directed to consider the representation of the petitioner, dated 06.05.2019 and to give police protection and permission to conduct Cultural Programme (Adal Padal Nigalchi) in the event of in Sri Mariyamam Temple festival situated at Pudakattan Kottai, Kedhureddipatt Village, Pappireddipatti T.K., Dharmapuri District - 635 302 scheduled to be held on 05.06.2019, subject to the following conditions;

(a) Cultural Programme (Adal Padal Nigalchi) done by Sri Mariyamam Temple festival situated at Pudakattan Kottai, Kedhureddipatt Village, Pappireddipatti T.K., Dharmapuri District scheduled to be held on 05.06.2019, 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 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,
Kadathur Police Station,
Dharmapuri District
2. The Public Prosecutor,
High Court of Madras.

+1 cc to Mr.D.Jagadeesan, Advocate, S.R.No.44477

Cr1.O.P.No.13988 of 2019

RJI (CO)
SSM(03/06/2019) .

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