IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 21.06.2019
CORAM
THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.15914 of 2019

S.Murali ... Petitioner

Vs.

1.The Superintendent of Police,
Dharmapuri,
Dharmapuri District-635 123.

2.The Inspector of Police,
Karimangalam Police Station,
Karimangalam Taluk,
Dharmapuri District-635 123.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to grant permission to perform the program of 'Adal Padal' on 26.06.2019 at about 6.00 p.m. to 11.00 p.m. at Sri Mariamman Temple festival is situated at Kumbarahalli Village, Thatrahalli Post Karimangalam Taluk, Dharmapuri District and to provide adequate police protection based on petitioner's representation dated 02.06.2019.

For Petitioner : Mr.S.Mayilnathan

For Respondents : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the 2nd respondent to give the Bandobust for permission to conduct Cultural programme on 26.06.2019 in the event of Sri Mariamman Temple festival at Kumbarahalli Village, Thatrahalli Post Karimangalam Taluk, Dharmapuri District, based on the petitioner's representation dated 02.06.2019.

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.

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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 Sri Mariamman Temple festival at Kumbarahalli Village, Thatrahalli Post Karimangalam Taluk, Dharmapuri District, however with the following conditions:-

(a) The cultural programme in connection with the event of Sri Mariamman Temple festival at Kumbarahalli Village, Thatrahalli Post Karimangalam Taluk, Dharmapuri District, on 26.06.2019 at 06.00 PM to 11.00 PM.

(b) The petitioner shall pay a cost of Rs.10,000/- (Rupees Ten Thousand only) to the respondent police towards police protection.

(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.

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Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1.The Superintendent of Police,
Dharmapuri,
Dharmapuri District-635 123.

2.The Inspector of Police,
Karimangalam Police Station,
Karimangalam Taluk,
Dharmapuri District-635 123.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Mayilnathan, Advocate sr.51076

Crl.O.P.No.15914 of 2019

nr 24/06/2019

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