

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2019

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

Crl.O.P.No.29025 of 2019

Murugan

...Petitioner

Vs

The State rep. by
The Inspector of Police,
Indur Police Station,
Dharmapuri District.

...Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.PC, praying to direct the respondent to give police protection and permission to conduct cultural program (Adal Paadal Nigalchi) in the event of Arulmigu Rajaganapathi Sri Gettu Perumal Sami Temple Festival at Rajakollahalli Village, Pankunatham Panchyat, Nallampalli Taluk and Dharmapuri District on 01.11.2019 between 6.00 PM to 11.00 PM by considering the petitioner's representation dated 26.10.2019.

For Petitioner : Mr.V.Sakkarapani

For Respondent : Mrs.V.Saratha Devi,
Government Advocate (Crl. Side)

सत्यमेव जयते
O R D E R

Seeking permission to conduct cultural programme in the event of Arulmigu Rajaganapathi Sri Gettu Perumal Sami Temple Festival at Rajakollahalli Village, Pankunatham Panchyat, Nallampalli Taluk and Dharmapuri District, the petitioner made a representation dated 26.10.2019 to the respondent. Since the same has not been considered, the present criminal original petition has been filed.

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

3. The learned Government Advocate (Crl. Side), 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, however, with the following conditions:-

(a) The cultural programme in connection with the event of Arulmigu Rajaganapathi Sri Gettu Perumal Sami Temple Festival at Rajakollahalli Village, Pankunatham Panchyat, Nallampalli Taluk and Dharmapuri District, shall be conducted on 01.11.2019 between 06.00 PM and 11.00 PM.

(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 respondent is directed to issue necessary protection and permission, incorporating the above conditions.

5. Accordingly, the Criminal Original Petition stands allowed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

hvk
To

1.The Inspector of Police,
Indur Police Station,
Dharmapuri District.

2.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.V.Sakkarapani , Advocate SR.No. 9016
CrI.O.P.No.29025 of 2019
A.SK(31/10/2019)



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