

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.02.2020

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.3333 of 2020

V.Govindan

... Petitioner

Vs.

1. The Inspector of Police,
Dharamangalam Police Station,
Salem District.

2. The Sub Inspector of Police,
Tholasampalayam Police Station,
Salem District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to give police protection and permission on 20.02.2020 to conduct Gramiya Culture & Dance Programme at Sri Mariyamman Kovil, at M.Chettipatti Village, Omalur Taluk, Salem District by considering the petitioner's representation dated 11.02.2020.

For Petitioner : Mr.W.Camyles Gandhi

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

O R D E R

This petition has been filed to direct the respondents to give police protection and permission on 20.02.2020 to conduct Gramiya Culture & Dance Programme at Sri Mariyamman Kovil, at M.Chettipatti Village, Omalur Taluk, Salem District by considering the petitioner's representation dated 11.02.2020.

2. Though in the petition time has not been mentioned, at the time of hearing, the learned counsel for the petitioner made an endorsement to grant permission for conducting cultural programme at 06.00PM to 11.00PM.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. The learned Additional Public Prosecutor, on instructions, would submit that there is likelihood of arising law and order problem.

5. 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 "Arulmighu Sri Mariamman Thirukoil at Nammagoundapalayam, Vazhathottam, Sivagiri, Erode District on 20.02.2020, however with the following conditions:-

(a) The aforesaid cultural programme shall be conducted on 20.02.2020 from 06.00 p.m. to 11.00 p.m only.

(b) The petitioner shall pay a cost of Rs.10,000/- (Rupees Ten Thousand only) to the first 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 first respondent is directed to issue necessary permission, incorporating the above conditions.

6. With the above directions, this Criminal Original Petition stands allowed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

drl

To

1.The Inspector of Police,
Dharamangalam Police Station,
Salem District.

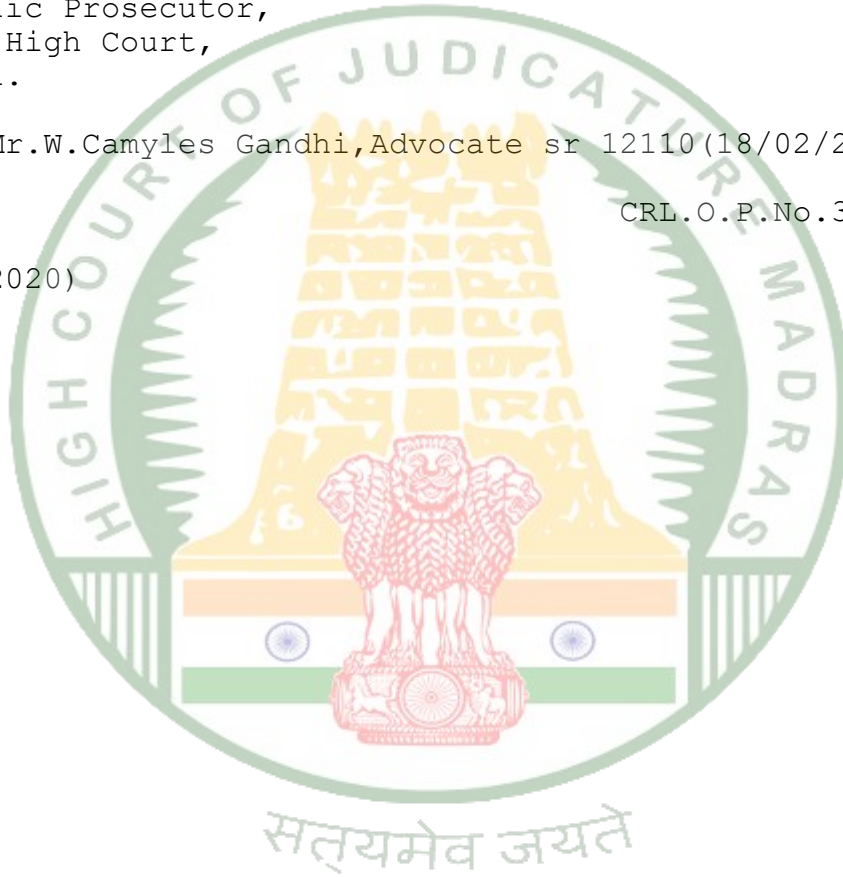
2.The Sub Inspector of Police,
Tholasampalayam Police Station,
Salem District.

3.The Public Prosecutor,
Madras High Court,
Chennai.

+1 CC to Mr.W.Camyles Gandhi,Advocate sr 12110(18/02/2020)

CRL.O.P.No.3333 of 2020

RSI (CO)
CB(18/02/2020)



WEB COPY