IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.02.2020

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THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.4638 of 2020

K.Murugan ... Petitioner

Vs.

1. The Superintendent of Police,
   Salem, Salem District.

2. The Inspector of Police,
   Karumalaikoodal Police Station,
   Salem District. ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to grant permission and protection to conduct cultural event viz., Adal Padal (Song and Dance) Programme to be held on 06.03.2020 at 6.00 p.m to 11.00 p.m in connection with the temple festival of 'Arulmighu Sri Sakthi Echilpatti Mariammal Koil' at Thuraiyur, P.N.Patty, Mettur, Salem by considering the petitioner's representation dated 24.02.2020.

For Petitioner : Mr.R.Gopinath

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

ORDER

This petition has been filed to issue direction to the respondents to grant permission and protection to conduct cultural event viz., Adal Padal (Song and Dance) Programme to be held on 06.03.2020 at 6.00 p.m to 11.00 p.m in connection with the temple festival of "Arulmighu Sri Sakthi Echilpatti Mariammal Koil", situated at Thuraiyur, P.N.Patty, Mettur, Salem District by considering the petitioner's representation dated 24.02.2020.

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

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3. The learned Additional Public Prosecutor, 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 in the event of "Arulmighu Sri Sakthi Echilpatti Mariammal Koil", situated at Thuraiyur, P.N.Patty, Mettur, Salem District on 06.03.2020, however with the following conditions:-

(a) The aforesaid cultural programme shall be conducted on 06.03.2020 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 respondents 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 second respondent is directed to issue necessary permission, incorporating the above conditions.

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

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
   Salem, Salem District.

2. The Inspector of Police,
   Karumalaikoodal Police Station,
   Salem District.

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

+1cc to Mr.R.Gopinath, Advocate Sr.17427

CRL.O.P.No.4638 of 2020

srg 04/03/2020

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