

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 28.02.2020
CORAM
THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM
CRL.O.P.No.4672 of 2020

M.Saravanan

... Petitioner

Vs.

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

2. The Deputy Superintendent of Police,
Omalur, Salem District.

3. The Inspector of Police,
Omalur 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 programme (Gramiya Kalai Nigazhchi) to be held on 08.03.2020 at 6.00 p.m to 11.00 p.m in connection with the temple festival of Sri Arulmigu Mariyamman Temple at Kolkaranur Village, Omalur Taluk, Salem District by considering the petitioner's representation dated 25.02.2020.

For Petitioner : Mr.S.Tamil Murugan
for Mr.S.Angamuthu

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 programme (Gramiya Kalai Nigazhchi) to be held on 08.03.2020 at 6.00 p.m to 11.00 p.m in connection with the temple festival of "Sri Arulmigu Mariyamman Temple", situated at Kolkaranur Village, Omalur Taluk, Salem District by considering the petitioner's representation dated 25.02.2020.

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.

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 Arulmigu Mariyamman Temple", situated at Kolkaranur Village, Omalur Taluk, Salem District on 08.03.2020, however with the following conditions:-

(a) The aforesaid cultural programme shall be conducted on 08.03.2020 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 third respondent is directed to issue necessary permission, incorporating the above conditions.

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

Sd/-
Asst. Registrar (CS VI)

/true copy/

Sub Asst. Registrar

arb

To

1. The Superintendent of Police,
Salem, Salem District.
2. The Deputy Superintendent of Police,
Omalur, Salem District.
3. The Inspector of Police,
Omalur Police Station,
Salem District.
4. The Public Prosecutor,
Madras High Court,
Chennai.

CRL.O.P.No.4672 of 2020

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