

PIN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:10.03.2020
CORAM
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.5527 of 2020

M.Anbarasu

.. Petitioner

/versus/

The Inspector of Police,
Sooramangalam Police Station,
Salem District 636 009.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to grant permission and protection to conduct cultural program (Dance and Music Program) in the Sri Mamanguthu Mariyamman Mahasakthi Sri Kaliyamman Temple festival situated at Kanthapatti Colony, Sooramangalam, Salem district scheduled to be held on 14.03.2020 from 6.00 p.m to 11.00 pm and considering by his representation dated 04.03.2020.

For Petitioner : Mr.N.Desinghu

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

Seeking permission to conduct cultural programme in the event of Sri Mamanguthu Mariyamman Mahasakthi Sri Kaliyamman Temple festival situated at Kanthapatti Colony, Sooramangalam, Salem District, the petitioner made a representation dated 04.03.2020 to the respondent. As the same has not been considered, the present Criminal Original petition has been filed.

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

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, this petition is allowed and the petitioner is permitted to conduct cultural programme in the event of Sri Mamanguthu Mariyamman Mahasakthi Sri Kaliyamman Temple festival situated at Kanthapatti Colony, Sooramangalam, Salem District, however with the following conditions:-

(a) The cultural programme in connection with the event of Sri Mamanguthu Mariyamman Mahasakthi Sri Kaliyamman Temple festival situated at Kanthapatti Colony, Sooramangalam, Salem district, shall be conducted on 14.03.2020 at 06.00 p.m., to 11.00 p.m.

(b) The petitioner shall pay a sum of Rs.10,000/- (Rupees ten thousand only) as charges, to the respondent Police and on receipt of the same, the respondent Police are directed to issue receipt and proceed further.

(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.

Sd/-
Asst.Registrar (CCC)

/true copy/
Sub Asst. Registrar

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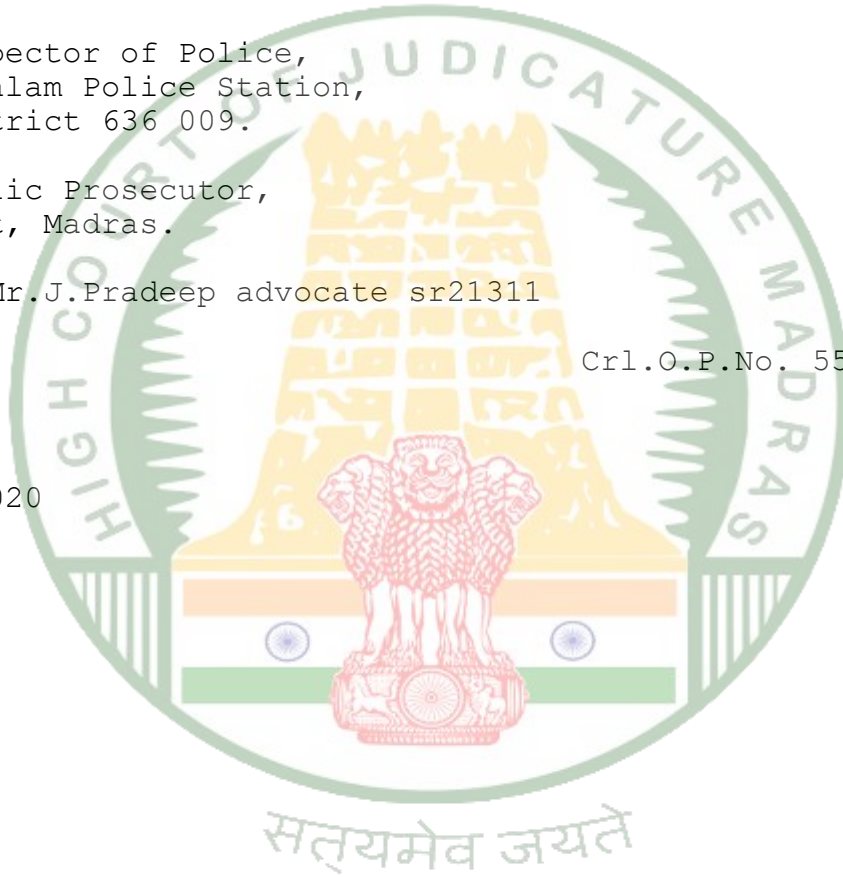
1.The Inspector of Police,
Sooramangalam Police Station,
Salem District 636 009.

2.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.J.Pradeep advocate sr21311

Cr1.O.P.No. 5527 of 2020

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