

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2017

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

CrI.O.P.No.21896 of 2017

R.Ramesh

.. Petitioner

Vs

The Inspector of Police,
Kalasapakkam Police Station,
Kalasapakkam,
Thiruvannamalai District.

.. Respondent

Criminal Original Petition filed under Sec.482 of Cr.P.C. praying for a direction to the respondent authority to give police protection and permission to conduct cultural programme (Adal Padal) at Kuruvimalai Arulmigu Sree Kanda Sirusti Therthavari Temple Festival at Polur Taluk, Tiruvannamalai District on 26.10.2017 by considering the petitioner's representation dated 10.10.2017.

For Petitioner : Mr.A.Sathishkumar

For Respondent : Mr. P.Govindarajan

Additional Public Prosecutor

O R D E R

Seeking permission to conduct cultural programme on 26.10.2017, in the event of Kuruvimalai Arulmigu Sree Kanda Sirusti Therthavari Temple Festival at Polur Taluk, Tiruvannamalai District, the petitioner has made a representation dated 10.10.2017 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. 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 Kuruvimalai Arulmigu Sree Kanda Sirusti Therthavari Temple Festival at Polur Taluk, Tiruvannamalai District, however, with the following conditions:-

(a) The cultural programme in connection with in the event of Sri Kuruvimalai Arulmigu Sree Kanda Sirusti Therthavari Temple Festival at Polur Taluk, Tiruvannamalai District, shall be conducted on 26.10.2017 between 06.00 p.m. and 11.00 p.m.

(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 permission, incorporating the above conditions.

5. With the above directions, the Criminal Original Petition is allowed.

Sd/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

To

1. The Inspector of Police,
Kalasapakkam Police Station,
Kalasapakkam,
Tiruvannamalai District.

2. The Additional Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Sathish Kumar, Advocate sr.73687

Cr1.O.P.No.21896 of 2017

mn(co)

ss(24/10/2017)