

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.02.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.2934 of 2019

K.Venkatesh Prasad

.. Petitioner

Vs

1.The Superintendent of Police,
Krishnagiri, Krishnagiri District - 635 001

2.The Inspector of Police,
Bargur Police Station, Bargur Taluk,
Krishnagiri District - 635 104 ... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to issue an order, directions, directing the First and Second respondents to consider and pass orders on the application dated 26.01.2019 made by the petitioner which the time frame as may be fixed by this Court much before the fixed programme which is to be held on 05.02.2019.

For Petitioner : Mr.S.Mayilnathan

For Respondents: Mr.T.Shunmugarajeswaran
Government Advocate

O R D E R

Seeking permission to conduct cultural programme in the event of "Sri Mariamman Temple Festival" at Kappalvadi Village, Vengadasamuthiram Post, Bargur Taluk, Krishnagiri District, the petitioner made a representation dated 26.01.2019 to the respondents. 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 Government Advocate appearing for the respondents.

3. Learned Government Advocate, 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 Mariamman Temple Festival" at Kappalvadi Village, Vengadasamuthiram Post, Bargur Taluk, Krishnagiri District however with the following conditions:-

(a) The cultural programme in connection with the event of "Sri Mariamman Temple Festival" at Kappalvadi Village, Vengadasamuthiram Post, Bargur Taluk, Krishnagiri District shall be conducted on 05.02.2019 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 respondents are directed to issue necessary permission, incorporating the above conditions.

s/d-

Assistant Registrar (CS V)

True Copy

Sub-Assistant Registrar

lok
To

1. The Superintendent of Police,
Krishnagiri, Krishnagiri District - 635 001

2. The Inspector of Police,
Bargur Police Station, Bargur Taluk,
Krishnagiri District - 635 104

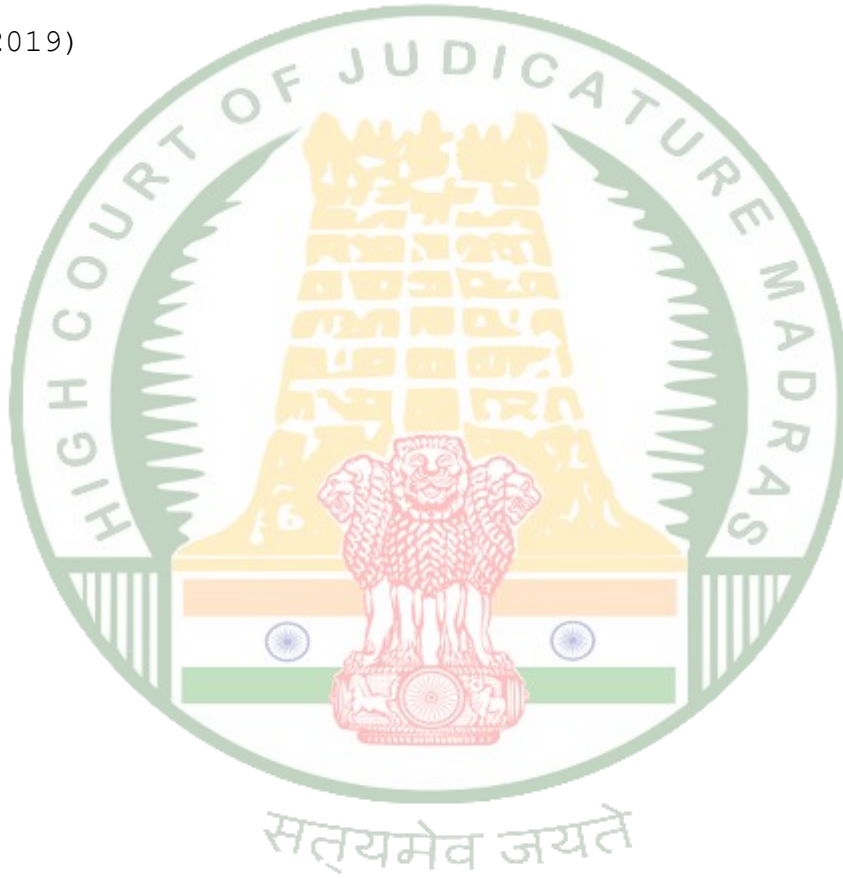
WEB COPY

3.The Government Pleader
High Court, Madras.

+1 CC to Mr.S.Mayilnathan, Advocate sr 9348

Cr1.O.P.No.2934 of 2019

RK (CO)
SP (04/02/2019)



WEB COPY