

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.02.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No. 3428 of 2019

S.Navaneetham

.. Petitioner

Vs

1. The Superintendent of Police,
Sathuvachari, Vellore District.

2. The Inspector of Police,
Vaniyambadi Rural Police Sation,
Vaniyambadi,
Vellore District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to directing the respondent to give police protection and permission to the petitioner to conduct a cultural program schedule to be held on 14.02.2018 in "Sri Kaali Amman and Mari Amman Temple", at Purushothamakuppam, Girisamuthiram, (Village & Post) Vaniyambadi Taluk, Vellore District by considering the petitioner representation dated 05.02.2019.

For Petitioner: M/s.Jeyalakshmi

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

O R D E R

Seeking permission to conduct cultural programme in the event of Sri Kaali Amman and Mari Amman Temple Festival at Purushothamakuppam, Girisamuthiram, (Village & Post) Vaniyambadi Taluk, Vellore District, the petitioner made a representation dated 05.02.2019 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 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, this petition is allowed and the petitioner is permitted to conduct cultural programme in the event of Sri Kaali Amman and Mari Amman Temple Festival at Purushothamakuppam, GiriSamuthiram, (Village & Post) Vaniyambadi Taluk, Vellore District however with the following conditions:-

(a) The cultural programme in connection with the event of Purushothamakuppam, GiriSamuthiram, (Village & Post) Vaniyambadi Taluk, Sri Kaali Amman and Mari Amman Temple Festival at Vellore District shall be conducted on 14.02.2019 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.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssr/rpl

To

1. The Superintendent of Police,
Sathuvachari, Vellore District.
2. The Inspector of Police,
Vaniyambadi Rural Police Sation,
Vaniyambadi,
Vellore District.
3. The Public Prosecutor,
High Court, Madras.

+lcc to M/s.S.Jeyalakshmi, Advocate, S.R.No.11035

Crl.O.P.No. 3428 of 2019

EV(CO)

rrs 11/02/2019



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