

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No. 4280 of 2019

V.Vallathan

...Petitioner

Vs.

The State of Tamilnadu,
Represented by its,
The Inspector of Police,
Reddysavadi Police Station,
Reddysavadi,
Cuddalore District.

...Respondent

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to grant permission and protection to conduct cultural program (Dance and Music Program) in the Sri Arulmiku Muthalamman Temple Maasimaga Festival situated at No.142, Mariyamankovil Street, Nallavadu, Singirikudi, Cuddalore District, Scheduled to be held on 19.02.2019 from 6 pm to 11 pm and considering his representation dated 12.02.2019.

For Petitioner : Mr.N.Desinghu

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

Seeking permission to give police protection and permission to conduct cultural programme on 19.02.2019, in the event of Sri Arulmiku Muthalamman Temple Maasimaga Festival situated at No.142, Mariyamankovil Street, Nallavadu, Singirikudi, Cuddalore District, the petitioner made a representation dated 12.02.2019 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 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, the petitioner is permitted to conduct cultural programme in the event of Sri Arulmiku Muthalamman Temple Maasimaga Festival situated at No.142, Mariyamankovil Street, Nallavadu, Singirikudi, Cuddalore District, however with the following conditions:-

(a) The cultural programme in connection with the event of Sri Arulmiku Muthalamman Temple Maasimaga Festival situated at No.142, Mariyamankovil Street, Nallavadu, Singirikudi, Cuddalore District, shall be conducted on 19.02.2019 between 06.00 p.m. and 10.00 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, this Criminal Original Petition stands allowed.
rm

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
Reddysavadi Police Station,
Reddysavadi,
Cuddalore District.
2. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.J.Pradeep, Advocate, S.R.No.14778

kak(18/02/2019)

Cr1.O.P.No.4280 of 2019



WEB COPY