

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.6590 of 2019

K.Palani

.. Petitioner

Vs

State Represented by

1. The Superintendent of Police,
Krishnagiri,
Krishnagiri District.

2. The Inspector of Police,
Uthangarai Police Station,
Uthangarai,
Krishnagiri District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the the respondents to give permission and police protection to the petitioner to conduct Music and Dance Programme in the Arulmigu Subramaniyar Swamy Temple, Kilkuppam Panaimarathupatti Village, Uthangarai Taluk, Krishnagiri District on 21.03.2019 and 22.03.2019 for two days based on the petitioner's representation dated 05.03.2019.

For Petitioner : Mr.K.Thiruvengadam

For Respondents : Mr.C.Raghavan
Government Advocate (Crl. Side)

O R D E R

Seeking permission to conduct cultural programme in the event of Arulmigu Subramaniyar Swamy Temple Festival at Kilkuppam Panaimarathupatti Village, Uthangarai Taluk, Krishnagiri District, the petitioner made a representation dated 05.03.2019 to the second 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 Government Advocate (Crl. Side) appearing for the respondents.

3. The learned Government Advocate (Crl. Side), 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 Arulmigu Subramaniyar Swamy Temple Festival at Kilkuppam Panaimarathupatti Village, Uthangarai Taluk, Krishnagiri District, however with the following conditions:-

(a) The cultural programme in connection with the event of Arulmigu Subramaniyar Swamy Temple Festival at Kilkuppam Panaimarathupatti Village, Uthangarai Taluk, Krishnagiri District shall be conducted on 21.03.2019 and 22.03.2019 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 second respondent is directed to issue necessary permission, incorporating the above conditions.

5. With the above directions, this Criminal Original Petition stands allowed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dh

To

1. The Superintendent of Police,
Krishnagiri,
Krishnagiri District.
2. The Inspector of Police,
Uthangarai Police Station,
Uthangarai,
Krishnagiri District.
3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.K.Thiruvengadam, Advocate Sr.No.23299

CrI.O.P.No.6590 of 2019

CSL/19.03.2019



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