

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.Nos.6831, 6833 & 6835 of 2019

C.Lakshmanan

.. Petitioner in
Crl.O.P.No.6831/2019

V.Ramaiyan

.. Petitioner in
Crl.O.P.No.6833/2019

G.Sankar

.. Petitioner in
Crl.O.P.No.6835/2019

Vs

1.The Superintendent of Police,
Vellore, Vellore District -632 001

2.The Inspector of Police,
Natrampalli Police Station,
Tirupattur Taluk,
Vellore District-635 651

.. Respondents
in Crl.O.P.No.6831/2019

1.The Superintendent of Police,
Cuddalore, Cuddalore District-608 001.

2.The Inspector of Police,
Prangipettai Police Station,
Bhuvanagiri Taluk,
Cuddalore District-608 502.

.. Respondents in
Crl.O.P.No.6833/2019

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 in
Cr1.O.P.No.6835 2019

Common Prayer: Criminal Original Petitions are filed under Section 482 of Criminal Procedure Code, to direct the respondent authority to give police protection and permission to conduct Cultural Programme (Adal Padal Nigalchi) in the event of (i) Sri Mariamman Temple festival is situated at Kalliyur Village, Pudupettai Post, Tirupattur Taluk, Vellore District on 16.04.2019 by considering the petitioner's representation dated 24.02.2019 (ii) Sri Sengaluneer Amman Temple festival is situated at C.Pudupettai Village, Prangipettai Post, Bhuvanagiri Taluk, Cuddalore District on 20.03.2019 by considering the petitioner's representation dated 24.02.2019 (iii) Sri Murugan Temple Panguni Uthiram festival is situated at Thammagoundanur Village, Sigaralapalli Post, Bargur Taluk, Krishnagiri District on 22.03.2019 the petitioners representation dated 24.02.2019

For Petitioners : Mr.S.Myilnathan
For Respondents : Mr.C.Raghavan,
Government Advocate.

C O M M O N O R D E R

Seeking permission to conduct cultural programmes in the event of (i) Sri Mariamman Temple festival is situated at Kalliyur Village, Pudupettai Post, Tirupattur Taluk, Vellore District on 16.04.2019 (ii) Sri Sengaluneer Amman Temple festival is situated at C.Pudupettai Village, Prangipettai Post, Bhuvanagiri Taluk, Cuddalore District on 20.03.2019 (iii) Sri Murugan Temple Panguni Uthiram festival is situated at Thammagoundanur Village, Sigaralapalli Post, Bargur Taluk, Krishnagiri District on 22.03.2019, the petitioners made representation dated 24.02.2019, to the respondent. As the same has not been considered, the present Criminal Original petition have been filed.

2. Heard the learned counsel appearing for the petitioners 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, these petitions are allowed and the petitioners are permitted to conduct cultural programme in the event of (i) Sri Mariamman Temple festival is situated at Kalliyur Village, Pudupettai Post, Tirupattur Taluk, Vellore District on 16.04.2019 (ii) Sri Sengaluneer Amman Temple festival is situated at C.Pudupettai Village, Prangipettai Post, Bhuvanagiri Taluk, Cuddalore District on 20.03.2019 (iii) Sri Murugan Temple Panguni Uthiram festival is situated at Thammagoundanur Village, Sigaralapalli Post, Bargur Taluk, Krishnagiri District on 22.03.2019 however with the following conditions:-

(a) The cultural programme in connection with the event of (i) Sri Mariamman Temple festival is situated at Kalliyur Village, Pudupettai Post, Tirupattur Taluk, Vellore District on 16.04.2019 (ii) Sri Sengaluneer Amman Temple festival is situated at C.Pudupettai Village, Prangipettai Post, Bhuvanagiri Taluk, Cuddalore District on 20.03.2019 (iii) Sri Murugan Temple Panguni Uthiram festival is situated at Thammagoundanur Village, Sigaralapalli Post, Bargur Taluk, Krishnagiri District on 22.03.2019, shall be conducted 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 functions 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.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsn/kas

To

- 1.The Superintendent of Police,
Vellore, Vellore District -632 001
- 2.The Inspector of Police,
Natrampalli Police Station,
Tirupattur Taluk,
Vellore District-635 651
- 3.The Superintendent of Police,
Cuddalore, Cuddalore District-608 001.
- 4.The Inspector of Police,
Prangipettai Police Station,
Bhuvanagiri Taluk,
Cuddalore District-608 502.
- 5.The Superintendent of Police,
Krishnagiri, Krishnagiri District-635 001.
- 6.The Inspector of Police,
Bargur Police Station,
Bargur Taluk,
Krishnagiri District-635 104.
- 7.The Public Prosecutor,
High Court, Madras.

+3cc to Mr.S.Myilnathan, Advocate sr.nos.23842, 23843 and 23844

Cr1.O.P.Nos.6831, 6833 & 6835 of 2019

nr 18/03/2019