

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :14.03.2019
CORAM
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.Nos.6863,6865,6867 &6868 of 2019

K.Chinnathambi .. Petitioner in Crl.O.P.No.6863/2019
V.Kulanthaivel .. Petitioner in Crl.O.P.No.6865/2019
V.Saravanan .. Petitioner in Crl.O.P.No.6867/2019

M.Duraisamy .. Petitioner in Crl.O.P.No.6868/2019

Vs

The Inspector of Police,
Kadaladi Police Station,
Kadaladi,
Tiruvannamalai District.

.. Respondent in
Crl.O.P.No.6863/2019

The Inspector of Police,
Veranam Police Station,
Veranam,
Salem District.

.. Respondents
in Crl.O.P.No.6865/2019

The Inspector of Police,
Natrampalli Police Station,
Natrampalli,
Vellore District.

..Respondent in
Crl.O.P.No.6867of2019

The Inspector of Police,
Namagiripettai Police Station,
Namagiripettai,
Namakkal District.

..Respondents in
Crl.O.P.No.6868 /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) Navapalayam Village Arulmigu Sree Murugan Temple festival at Kalasapakkam Taluk, Tiruvannamalai District on 21.03.2019 by considering the petitioner's representation dated 09.03.2019(ii) Vedapadi Kattuvalavu Arulmigu Sree Kandasamy Murugan Temple Panguni Uthiram festival at Salem Taluk & District on 21.03.2019 by considering the petitioner's representation dated 11.03.2019 (iii) Pakchur, Thangamalai Arulmigu Sree Sendraya Swamy Temple Periya Ther Ratham, Kuthirai Vaganam & Poopallaku Urchavam festival at Natrampalli Taluk, Vellore District on 21.03.2019, 22.03.2019 & 23.03.2019 the petitioners representation dated 06.03.2019 (iv) R.Pudupatti Arulmigu Sree Thulukka Chudamani Amman Temple festival at Rasipuram Taluk, Namakkal on 11.04.2019 by considering the petitioner's representation dated 09.03.2019.

For Petitioners : Mr.A.Sathishkumar
For Respondents : Mr.C.Raghavan
Govt. Advocate (crl.side)

C O M M O N O R D E R

Seeking permission to conduct cultural programmes in the event of (i) Navapalayam Village Arulmigu Sree Murugan Temple festival at Kalasapakkam Taluk, Tiruvannamalai District on 21.03.2019 (ii) Vedapadi Kattuvalavu Arulmigu Sree Kandasamy Murugan Temple Panguni Uthiram festival at Salem Taluk & District on 21.03.2019 (iii) Pakchur, Thangamalai Arulmigu Sree Sendraya Swamy Temple Periya Ther Ratham, Kuthirai Vaganam & Poopallaku Urchavam festival at Natrampalli Taluk, Vellore District on 21.03.2019, 22.03.2019 & 23.03.2019 (iv) R.Pudupatti Arulmigu Sree Thulukka Chudamani Amman Temple festival at Rasipuram Taluk, Namakkal on 11.04.2019 the petitioners made representation dated 09.03.2019, 11.03.2019, 06.03.2019 and 09.03.2019 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) Navapalayam Village Arulmigu Sree Murugan Temple festival at Kalasapakkam Taluk, Tiruvannamalai District on 21.03.2019 (ii) Vedapadi Kattuvalavu Arulmigu Sree Kandasamy Murugan Temple Panguni Uthiram festival at Salem Taluk & District on 21.03.2019 (iii) Pakchur, Thangamalai Arulmigu Sree Sendraya Swamy Temple Periya Ther Ratham, Kuthirai Vaganam & Poopallaku Urchavam festival at Natrampalli Taluk, Vellore District on 21.03.2019, 22.03.2019 & 23.03.2019 (iv) R.Pudupatti Arulmigu Sree Thulukka Chudamani Amman Temple festival at Rasipuram Taluk, Namakkal on 11.04.2019 however with the following conditions:-

(a) The cultural programme in connection with the event of (i) Navapalayam Village Arulmigu Sree Murugan Temple festival at Kalasapakkam Taluk, Tiruvannamalai District on 21.03.2019 (ii) Vedapadi Kattuvalavu Arulmigu Sree Kandasamy Murugan Temple Panguni Uthiram festival at Salem Taluk & District on 21.03.2019 (iii) Pakchur, Thangamalai Arulmigu Sree Sendraya Swamy Temple Periya Ther Ratham, Kuthirai Vaganam & Poopallaku Urchavam festival at Natrampalli Taluk, Vellore District on 21.03.2019, 22.03.2019 & 23.03.2019 (iv) R.Pudupatti Arulmigu Sree Thulukka Chudamani Amman Temple festival at Rasipuram Taluk, Namakkal on 11.04.2019 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 (CS)

//True Copy//

Sub Assistant Registrar

vsn/kas

To

- 1.The Inspector of Police,
Kadaladi Police Station,
Kadaladi,
Tiruvannamalai District.
- 2.The Inspector of Police,
Veranam Police Station,
Veranam,
Salem District.
- 3.The Inspector of Police,
Natrampalli Police Station,
Natrampalli,
Vellore District.
- 4.The Inspector of Police,
Namagiripettai Police Station,
Namagiripettai,
Namakkal District.
- 5.The Public Prosecutor,
High Court, Madras.

+4ccs to Mr.A.Sathishkumar , Advocate SR.No. 24077,24078,
24079,24080

Cr1.O.P.Nos.6863,6865,6867 &6868 of 2019

A.SK(15/03/2019)

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