

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.Nos.8339 & 8340 of 2019

K.Sakthivel

.. Petitioner in
Crl.O.P.No.8339/2019

A.Kannappan

.. Petitioner in
Crl.O.P.No.8340/2019

Vs.

The Inspector of Police,
Uthankarai Police Station,
Krishnagiri District.

.. Respondent in
Crl.O.P.No.8339/2019

The Inspector of Police,
Kallavi Police Station,
Uthankarai Taluk,
Krishnagiri District.

.. Respondent in
Crl.O.P.No.8340/2019

Common Prayer: Criminal Original Petitions are filed under Section 482 of Criminal Procedure Code, to direct the respondent authority to grant permission and police protection to conduct the cultural event (i) Adal Padal (Song and Dance) program to be held on 13.04.2019 at 7.00 pm onwards in connection with the Temple Festival of Sri Perumal Thirukovil, Badappalli Village, Uthankarai Taluk, Krishnagiri District, by considering the petitioner's representation dated 18.03.2019 (ii) Program to be held on 22.04.2019 at 7.00 pm onwards in connection with the Temple Festival of Sri Mariyamman Thirukovil, Mannadipatti Village, Uthankarai Taluk, Krishnagiri District, by considering the petitioner's representation dated 18.03.2019.

For Petitioners: Mr.S.Sathish

For Respondents: Mr.C.Raghavan

Government 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) Sri Perumal Thirukovil Temple Festival

at Badappalli Village, Uthankarai Taluk, Krishnagiri District on 13.04.2019 (ii) Sri Mariyamman Thirukovil Temple Festival at Mannadipatti Village, Uthankarai Taluk, Krishnagiri District on 22.04.2019, the petitioners made representation dated 18.03.2019 to the respondent. As the same has not been considered, the present Criminal Original petitions have been filed.

2. Heard the learned counsel appearing for the petitioners 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, these petitions are allowed and the petitioners are permitted to conduct cultural programme in the event of (i) Sri Perumal Thirukovil Temple Festival at Badappalli Village, Uthankarai Taluk, Krishnagiri District on 13.04.2019 (ii) Sri Mariyamman Thirukovil Temple Festival at Mannadipatti Village, Uthankarai Taluk, Krishnagiri District on 22.04.2019, however with the following conditions:-

(i) Sri Perumal Thirukovil Temple Festival at Badappalli Village, Uthankarai Taluk, Krishnagiri District on 13.04.2019 (ii) Sri Mariyamman Thirukovil Temple Festival at Mannadipatti Village, Uthankarai Taluk, Krishnagiri District on 22.04.2019, 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.

s/d-
Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

mpa/vsn
To

1. The Inspector of Police,
Uthankarai Police Station,
Krishnagiri District.

2. The Inspector of Police,
Kallavi Police Station,
Uthankarai Taluk,
Krishnagiri District.

3. The Public Prosecutor,
High Court, Madras.

+2 CC to Mr. S. Sathish, Advocate sr 29548.

Cr1.O.P.Nos.8339 & 8340 of 2019

सत्यमेव जयते

PP (CO)
SP (08/04/2019)

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