

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No. 9004 of 2019

Palepalli Sri Gangamman Alaya
Committee Sangam, Palepalli,
Rep. by its President P.M.Venkatasamy,
Palepalli Village, Kandhikuppam Post,
Krishnagiri Taluk and District. ... Petitioner

Vs.

1.State rep. by
The Deputy Superintendent of Police,
Bargur Taluk,
Krishnagiri District.

2.State rep. by
The Inspector of Police,
Bargur Taluk,
Krishnagiri District. ... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents to provide Police protection to the petitioner Sangam based on their representation dated 22.03.2019 for conducting Ugadi festival on 06.04.2019 and 07.04.2019.

For Petitioner : Mr.S.Annamalai

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

ORDER

Seeking permission to conduct cultural programme on 06.04.2019 and 07.04.2019, in the event of Palepalli Village Sri Gangamman Alaya Committee Sangam Ugadi Festival at Krishnagiri Taluk and District the petitioner made a representation dated 22.03.2019 to the respondents. 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 Palepalli Village Sri Gangamma Alaya Committee Sangam Ugadi Festival at Krishnagiri Taluk and District however with the following conditions:-

(a) The petitioner shall pay a sum of Rs.10,000/- (Rupees ten thousand only) as charges, to the respondents Police and on receipt of the same, the respondents Police is directed to issue receipt and proceed further.

(b) The cultural programme in connection with the event of Palepalli Village Sri Gangamma Alaya Committee Sangam Ugadi Festival at Krishnagiri Taluk and District shall be conducted on 06.04.2019 and 07.04.2019.

(c) There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants.

(d) Double meaning songs should not be played so as to spoil the minds of students and youths.

(e) No dance or songs, touching upon any political party or religion or community or caste shall be played.

(f) No flex boards in support of any political party or communal leader, shall be erected at the premises of the programme.

(g) The function shall not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(h) 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

(i) Similarly, the police is directed to stop the dance programme, if it is played beyond the permitted time limit.

(j) The respondent is directed to issue necessary permission, incorporating the above conditions.

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

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Deputy Superintendent of Police,
Bargur Taluk,
Krishnagiri District.

2.The Inspector of Police,
Bargur Taluk,
Krishnagiri District.

3.The Public Prosecutor
High Court, Madras.

+2cc to M/s.S.Annamalai, Advocate, Sr.No.32863 & 32790

Kak (04/04/2019)

Cr1.O.P.No.9004 of 2019

सत्यमेव जयते
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