

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.Nos.9174 and 9176 of 2019

V.Vethamoorthi

... Petitioner in
Crl.O.P.No.9174 of 2019

C.Mayavel

.... Petitioner in
Crl.O.P.No.9176 of 2019

Versus

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

2. The Inspector of Police,
Pallikonda Police Station,
Anaicut Taluk,
Vellore District - 635 809.

.... Respondents in
Crl.O.P.No.9174 of 2019

1. The Superintendent of Police,
Vellore, Vellore District - 635 001.

2. The Inspector of Police,
Melpatti Police Station,
Pernambut Taluk,
Vellore District - 635 805.

.... Respondents in
Crl.O.P.No.9176 of 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 perform the program of 'Adal Padal' in the event of (i) Sri Ponnamman Temple Festival at Thattankuttai Village, Tippasamudram Post, Anaicut Taluk, Vellore District on

25.04.2019 between 06.00 p.m. to 11.00 p.m. by considering the petitioner's representation dated 20.03.2019 (ii) Sri Thirupati Gangaianman Temple Festival at M.V.Kuppam Village, M.V.Kuppam Post, Pernambut Taluk, Vellore District on 12.07.2019 between 06.00 p.m. to 11.00 p.m. by considering the petitioner's representation dated 23.03.2019 respectively.

For Petitioner : Mr.S.Mayilnathan
in both Crl.O.Ps

For Respondent : Mr.C.Raghavan
in both Crl.O.Ps Government Advocate
(Criminal Side)

C O M M O N O R D E R

Seeking permission to conduct cultural programme in the event of (i) Sri Ponniamman Temple Festival at Thattankuttai Village, Tippasamudram Post, Anaicut Taluk, Vellore District on 25.04.2019 (ii) Sri Thirupati Gangaianman Temple Festival at M.V.Kuppam Village, M.V.Kuppam Post, Pernambut Taluk, Vellore District on 12.07.2019 the petitioners made a representation dated 20.03.2019 & 23.03.2019 to the respective respondents. 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 (Criminal Side) appearing for the respondents.

3. Learned Government Advocate (Criminal 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 representations. 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 petitioners are permitted to conduct cultural programme in the event of (i) Sri Ponniamman Temple Festival at Thattankuttai Village, Tippasamudram Post, Anaicut Taluk, Vellore District on 25.04.2019 (ii) Sri Thirupati Gangaianman Temple Festival at M.V.Kuppam Village, M.V.Kuppam Post, Pernambut Taluk, Vellore District on 12.07.2019, however with the following conditions:-

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

(b) The cultural programme in connection with the event of
(i) Sri Ponniyamman Temple Festival at Thattankuttai Village,
Tippasamudram Post, Anaicut Taluk, Vellore District on
25.04.2019 (ii) Sri Thirupati Gangaianman Temple Festival at
M.V.Kuppam Village, M.V.Kuppam Post, Pernambut Taluk, Vellore
District on 12.07.2019, shall be conducted between 06.00 p.m.
and 10.00 p.m.

(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 respondents are directed to issue necessary
permission, incorporating the above conditions.

5. With the above directions, these Criminal Original
Petitions stands allowed.

Sd/-

Assistant Registrar

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

ssr/rri

To

1. The Superintendent of Police,
Vellore, Vellore District - 632 001.
2. The Inspector of Police,
Pallikonda Police Station,
Anaicut Taluk,
Vellore District - 635 809.

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3. The Superintendent of Police,
Vellore, Vellore District - 635 001.

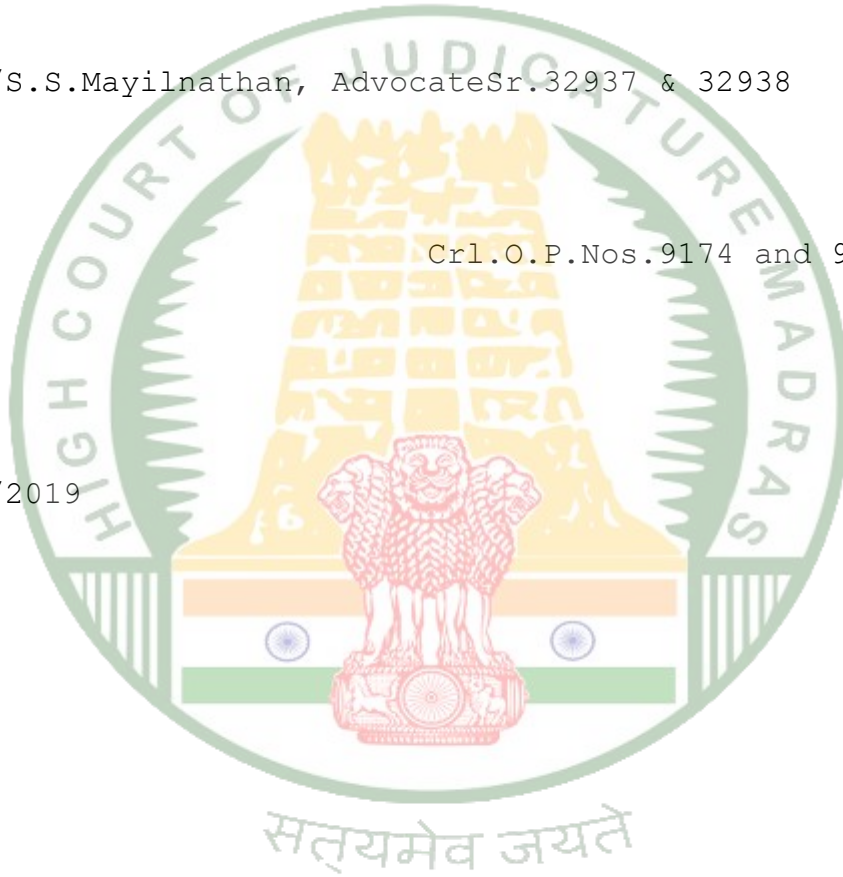
4. The Inspector of Police,
Melpatti Police Station,
Pernambut Taluk,
Vellore District - 635 805.

5. The Public Prosecutor
High Court, Madras.

+2cc to M/S.S.Mayilnathan, AdvocateSr.32937 & 32938

Crl.O.P.Nos.9174 and 9176 of 2019

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srg 11/04/2019



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