IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 16.04.2019
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.10452 of 2019

G.Parthiban ... Petitioner

Vs

The Inspector of Police,
Kandikuppam Police Station,
Kandikuppam, Krishnagiri District. ... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent authority to give police protection and permission to conduct cultural programme (Adal Padal Nigalchi) in the event of Madepalli Village Arulmigu Sree Karu Mariamman Temple Festival at Bargur Taluk, Krishnagiri District on 22.04.2019 between 06.00 PM to 11.00 PM by considering the petitioner's representation dated 13.04.2019.

For Petitioner : Mr.A.Sathishkumar
For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the respondent authority to give police protection and permission to conduct cultural programme (Adal Padal Nigalchi) in the event of Madepalli Village Arulmigu Sree Karu Mariamman Temple Festival at Bargur Taluk, Krishnagiri District on 22.04.2019 between 06.00 PM to 11.00 PM by considering the petitioner's representation dated 13.04.2019.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

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, the petitioner is permitted to conduct cultural programme in the event of Madepalli Village Arulmigu Sree Karu Mariamman Temple Festival at Bargur

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Taluk, Krishnagiri District however with the following conditions:-

(a) The cultural programme in connection with the event of Madepalli Village Arulmigu Sree Karu Mariamman Temple Festival at Bargur Taluk, Krishnagiri District shall be conducted on 22.04.2019 between 06.00 PM to 11.00 PM.

(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 function 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.

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

Sd/-
Assistant Registrar(CS iv)

//True Copy//

Sub Assistant Registrar

rna

To

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

2.The Public Prosecutor,High Court, Madras.

+1cc to Mr.A.Sathishkumar, Advocate SR.No. 37870

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A.SK(16/04/2019)

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