

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 30.04.2019
CORAM
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.11941 of 2019

Govindaraj

.. Petitioner

Vs

The Inspector of Police,
Viruthampattu Police Station,
Viruthampattu,
Katpadi Taluk,
Vellore District.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to consider petitioner's representation dated 26.04.2019 and to give police protection and permission to conduct temple festival with cultural programs (Adal Padal) at Arulmigu Sri Kengaiamman Tiru Koil, At Perumalpettai Village, Karasamangalam Post, Katpadi Taluk, Vellore District scheduled to be held on 16.05.2019.

For Petitioner : Mr.D.Thirumoorthy

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

Seeking permission to conduct cultural programme in the event of Arulmigu Sri Kengaiamman Temple Festival at Perumalpettai Village, Karasamangalam Post, Katpadi Taluk, Vellore District on 16.05.2019, the petitioner made a representation dated 26.04.2019 to the respondent. 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 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, the petitioner is permitted to conduct cultural programme in the event of Arulmigu Sri Kengaiamman Temple Festival at Perumalpettai Village, Karasamangalam Post, Katpadi Taluk, Vellore District on 16.05.2019, however with the following conditions:-

(a) The petitioner shall pay a sum of Rs.10,000/- (Rupees ten thousand only) as charges, to the 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 Arulmigu Sri Kengaiamman Temple Festival at Perumalpettai Village, Karasamangalam Post, Katpadi Taluk, Vellore District on 16.05.2019, 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 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 III)

//True Copy//

Sub Assistant Registrar

To

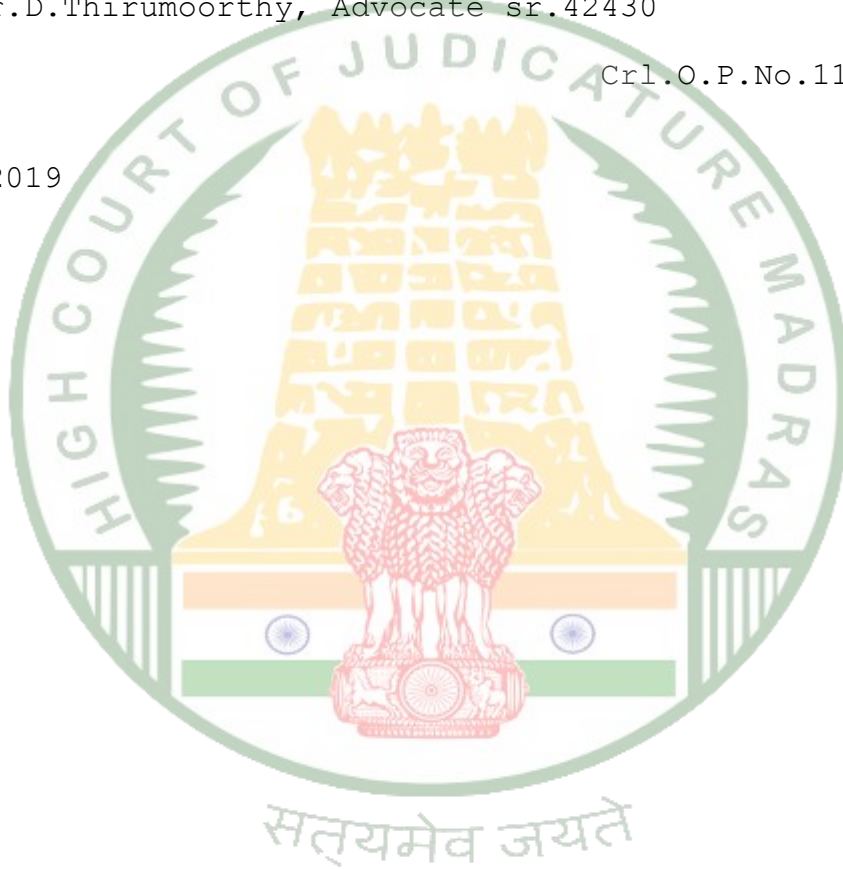
1.The Inspector of Police,
Viruthampattu Police Station,
Viruthampattu,
Katpadi Taluk,
Vellore District.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.D.Thirumoorthy, Advocate sr.42430

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