

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 08.05.2019
CORAM
THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.12320 of 2019

Mr.Mathivanan

.. Petitioner

Vs.

1.The Superintendent of Police,
Tiruvannamalai District
Tiruvannamalai.

2.The Deputy Superintendent of Police,
Polur Talauk, Polur,
Tiruvannamalai District.

3.The Inspector of Police,
Polur Police Station,
Tiruvannamalai District.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to issue a direction to the respondents to grant permission to perform the program of voice of Eco Innisai on 11.05.2019 at 7.00 p.m to 11 p.m. Sri Gangaamman Koil Festival is situated at Sanikkavadi Village, Polur Taluk, Tiruvannamalai District and to provide adequate police protection based on the petitioner's representation dated 03.05.2019.

For Petitioner : Mr.S.L.Venkatesan

For Respondents : Ms.M.Prabhavathi, APP

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O R D E R

Seeking permission to conduct the programme of Voice of Eco Ennisai in the event of Sri Gangaamman Koil Festival is situated at Sanikkavadi Village, Polur Taluk, Tiruvannamalai District, the petitioner made a representation dated 03.05.2019 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 Sri Gangaianman Koil Festival is situated at Sanikkavadi Village, Polur Taluk, Tiruvannamalai District, however with the following conditions:-

(a) The cultural programme in connection with the event of Sri Gangaianman Koil Festival is situated at Sanikkavadi Village, Polur Taluk, Tiruvannamalai District, shall be conducted on 11.05.2019 from 07.00 p.m to 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 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 respondents are directed to issue necessary permission, incorporating the above conditions.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

KP

To

1.The Superintendent of Police,
Tiruvannamalai, District,
Tiruvannamalai.

2.The Deputy Superintendent of Police,
Polur Talauk, Polur,
Tiruvannamalai District.

3.The Inspector of Police,
Polur Police Station,
Tiruvannamalai District.

4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.L.Venkatesan, Advocate, S.R.No.43439

Cr1.O.P.No..12320 of 2019

PM(CO)
SSM(09/05/2019)



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