

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.05.2019

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.13049 of 2019

G.Arumugam

.. Petitioner

Vs.

1. The Superintendent of Police,
Sathuvachari,
Vellore District.

2. The Inspector of Police,
Thimmapettai Police Station,
Thimmapettai.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code to give Police Protection and permission to the petitioner to conduct a Cultural programme schedule to be held on 18.05.2019 in Sri Kaanaga Nachiamman Temple, at Ellammakuttai, Vaniyambadi Taluk, Vellore District by considering the petitioner representation dated 08.05.2019.

For petitioner : Ms.S.Premakumari

For respondents : Ms.P.Kritika Kamal,
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to direct the second respondent give police protection and permission to the petitioner to conduct a cultural programme scheduled to be held on 18.05.2019 in Sri Kaanaga Nachiamman Temple, at Ellammakuttai, Vaniyambadi Taluk, Vellore District.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3.The learned counsel for the petitioner would submit that the petitioner is a resident of Mottur Village, Vaniyambadi Taluk, Vellore District where Sri Kaanaga Nachiamman Temple, at

Ellammakuttai, Vaniyambadi Taluk, Vellore District is situated. The temple festival will be celebrated in the said temple in a very grand manner and during the festival, the villagers planned to conduct Cultural programme on 18.05.2019. In this regard, the petitioner gave a representation to the respondents on 08.05.2019. Since no action has been taken, the present Criminal Original Petition has been filed.

4. The learned Government Advocate appearing for the respondents, on instructions, would submit that the respondents have no serious objection. She further submitted that permission may be granted subject to stringent conditions.

5. Considering the facts and circumstances of the case, the Criminal Original Petition is disposed of with the following directions:

The second respondent/The Inspector of Police, Thimmapettai Police Station, Thimmapettai is directed to consider the representation of the petitioner, dated 08.05.2019 and to give permission and to provide police protection for Cultural Programme done by Sri Kaanaga Nachiamman Temple, at Ellammakuttai, Vaniyambadi Taluk, Vellore District, scheduled to be held on 18.05.2019, subject to the following conditions;

(a) Cultural Programme done by Sri Kaanaga Nachiamman Temple, at Ellammakuttai, Vaniyambadi Taluk, Vellore District scheduled to be held on 18.05.2019, should be completed before 11.00 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 as they will 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 conducted beyond the permitted time limit.

(i) The petitioner as well as the organizers shall give a letter of undertaking agreeing to strictly adhere to the above conditions.

6. It is open to the second respondent police to impose any further restrictions or conditions purely in the interest of preserving public order and tranquility. There can be a total ban for putting up any Flex Board representing any community, political party or organization.

7. With the above directions, the Criminal Original Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Sathuvachari,
Vellore District.
2. The Inspector of Police,
Thimmapettai Police Station,
Thimmapettai.
3. The Public Prosecutor,
High Court, Madras

Crl.O.P.No.13049 of 2019

SAI (CO)
CS/17/05/2019

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