

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.06.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Cr1.O.P.No.14076 of 2019

E.Venkatesan

.. Petitioner

Vs.

State Rep. by  
Rep. by the Inspector of Police,  
R-8, Vadapalani Police Station,  
Chennai-600 026.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents herein to give police protection to conduct festival in peaceful manner at Arulmighu Sri Gangai Amman Kovil at Vadapalani, Chennai-600 026 to be held on from 05.06.2019 to 16.06.2019 by considering the representation given by the petitioner dated 22.05.2019.

For Petitioner : Mr.R.Jayaprakash

For Respondents : Mr.C.Raghavan  
Government Advocate

O R D E R

Seeking permission to conduct the festival in a peaceful manner at Arulmighu Sri Gangai Amman Kovil at Vadapalani, Chennai-600 026 to be held on from 05.06.2019 to 16.06.2019, the petitioner made a representation dated 22.05.2019 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 Government Advocate (Criminal Side) appearing for the respondent.

3. The 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 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. Even though the police protection has been sought for 12 days from 05.06.2019 to 16.06.2019, the petitioner confined the relief for police protection only for two days, i.e., on 09.06.2019 and 16.06.2019. In such view of the matter, the petitioner is permitted to conduct the festival in a peaceful manner at Arulmighu Sri Gangai Amman Kovil at Vadapani, Chennai-600 026 on 09.06.2019 and 16.06.2019, however with the following conditions:-

(a) The cultural programme in connection with the event of the temple festival at Arulmighu Sri Gangai Amman Kovil at Vadapani, Chennai-600 026 shall be conducted on 09.06.2019 between 11.00 a.m. and 02.00 p.m. and on 16.06.2019 between 06.00 p.m. and 10.00 p.m. respectively.

(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

To

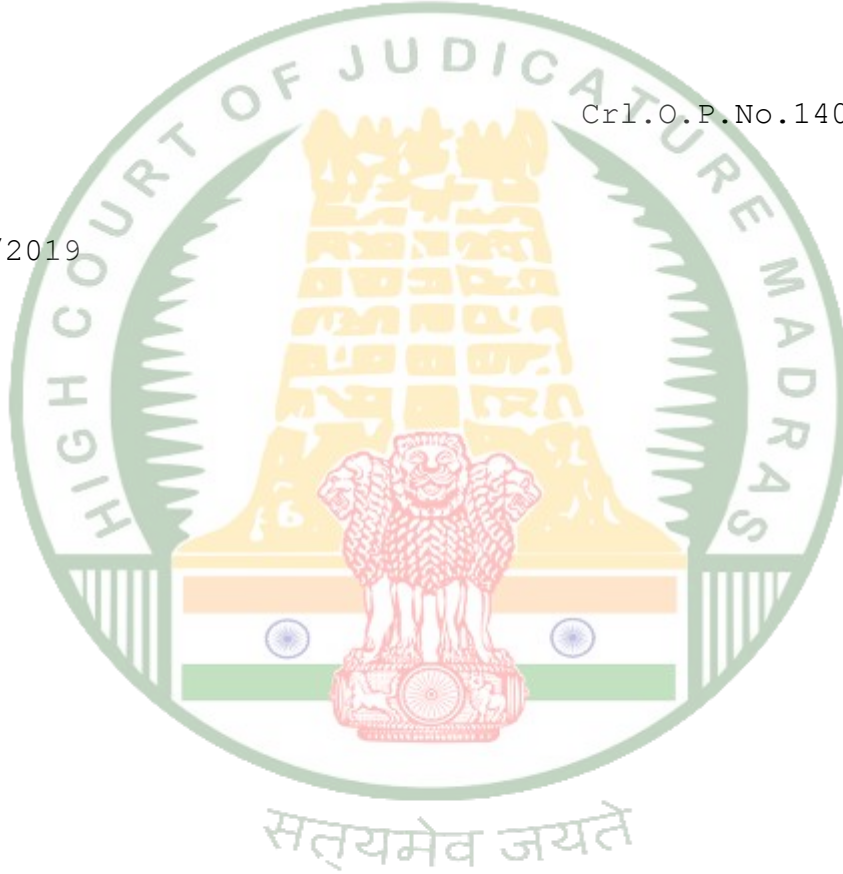
1.The Inspector of Police,  
R-8, Vadapalani Police Station,  
Chennai-600 026.

2.The Public Prosecutor,  
High Court, Madras.

+lcc to Mr.R.Jayaprakash, Advocate Sr.44952

Crl.O.P.No.14076 of 2019

gj Ii[col]  
srg 06/06/2019



WEB COPY