

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 06.06.2019
CORAM
THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.14164 of 2019

R.Devendiran

.. Petitioner

Vs.

The Inspector of Police,
Kiliyanur Police Station,
Villupuram District.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to grant permission to perform the programme of "Adal Padal" on 10.06.2019 at about 10 a.m., to 10.p.m., at "Arulmigu Mariamman" festival is situate at Arulmigu Mariamman Temple, Konthamoor Village, Vanur Taluk, Villupuram District, and to provide adequate police protection based on the petitioner's representation dated on 23.05.2019.

For Petitioner : Mr.G.Kartheeban

For Respondents : Mr.C.Raghavan
Government Advocate

O R D E R

Seeking permission to conduct cultural programme in the event of 'Adal Padal' Festival and cultural and entertainment programme at Arulmigu Mariamman Temple, Konthamoor Village, Vanur Taluk, Villupuram District, the petitioner made a representation dated 23.05.2019 to the respondents. 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 respondents.

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. In such view of the matter, the petitioner is permitted to conduct cultural programme in the event of 'Adal Padal' Festival and cultural and entertainment

programme at Arulmigu Mariamman Temple, Konthamoor Village, Vanur Taluk, Villupuram District, however with the following conditions:-

(a) The cultural programme in connection with the event of 'Adal Padal' Festival and cultural and entertainment programme at Arulmigu Mariamman Temple, Konthamoor Village, Vanur Taluk, Villupuram District, shall be conducted on 10.06.2019 between 07.00 p.m. and 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 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(CCC)

//True Copy//

Sub Assistant Registrar

jrs/rka

To

1.The Inspector of Police,
Kiliyanur Police Station, Villupuram District.

2.The Public Prosecutor, High Court, Madras.

+1 cc to Mr.T.V.G.Kartheebab, Advocate, Sr.No. 45220

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CSL/07.06.2019