

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.10.2019

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

Crl.O.P.No.28451 of 2019

S.Karthikeyan

...Petitioner

Vs

1. The Superintendent of Police,
Nagapattinam District.

2. State rep. By
The Inspector of Police,
Vedaranyam Rural Police Station,
Vedaranyam,
Nagapattinam District.

...Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.PC, praying to direct the respondent authority to give police protection and permission to conduct cultural programme (Comedy show, Magic show, Circus show, Dance and Stunt by physically challenged, Singing and Dance Program) in the event of Diwali Festival (Star Night Show) at Kuravapulam Sakthi Priya Marriage Hall, Vedaranyam Taluk, Nagapattinam District on 25.10.2019 between 05.00 PM to 11.00 PM by considering the petitioner's representation dated 18.10.2019.

For Petitioner : Mr.A.Sathish Kumar

For Respondents: Mrs.V.Saratha Devi
Government Advocate (Crl. Side)

O R D E R

Seeking permission to conduct cultural programme in the event of Diwali Festival (Star Night Show) at Kuravapulam Sakthi Priya Marriage Hall, Vedaranyam Taluk, Nagapattinam District on 25.10.2019, the petitioner made a representation dated 18.10.2019 to the respondent. Since the same has not been considered, the present criminal original petition has been filed.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondents.

3. The learned Government Advocate (Crl. Side), on instructions, would submit that in view of the tension prevailing at Vedaranyam, the petitioner herein shall cooperate for conducting the festival in a peaceful manner.

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, however, with the following conditions:-

(a) The cultural programme in connection with the event of Diwali Festival (Star Night Show) at Kuravapulam Sakthi Priya Marriage Hall, Vedaranyam Taluk, Nagapattinam District, shall be conducted on 25.10.2019 between 06.00 PM and 11.00 PM.

(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.

(h) Similarly, the police is directed to stop the dance programme, if it is played beyond the permitted time limit.

(i) It is also open to the respondent police to impose reasonable restrictions for the conduct of the cultural programme.

(j) The respondent is directed to issue necessary protection and permission, incorporating the above conditions.

5. Accordingly, the Criminal Original Petition stands allowed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Superintendent of Police,
Nagapattinam District.

2. The Inspector of Police,
Vedaranyam Rural Police Station,
Vedaranyam,
Nagapattinam District.

3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.A.Sathish Kumar, Advocate sr.89226

Crl.O.P.No.28451 of 2019

ssp(co)
nr 24/10/2019

The seal of the High Court of Madras is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital on top. The words "HIGH COURT OF JUDICATURE MADRAS" are written in a green circle around the gopuram. Below the gopuram is a red lion capital on a base. At the bottom of the seal, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script.

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