

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.10.2017

CORAM

THE HONOURABLE Mr.JUSTICE **M.S.RAMESH**

Crl.O.P.No. 21118 of 2017

S.Selvaraj

.. Petitioner

Vs

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

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

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying to direct the respondent to grant permission and protection to conduct cultural programmes on the eve of festival to be conducted on 12.10.2017 by considering the petitioner's representation dated 28.09.2017 to the second respondent.

For Petitioner : Mr.P.Prabakar

For Respondents : Mr.P.Govindarajan,
Additional Public Prosecutor

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ORDER

Seeking permission to conduct cultural programme in the eve of festival, the petitioner made a representation dated 28.09.2017 to the second 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. 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, this petition is allowed and the petitioner is permitted to conduct cultural programme in the eve of festival, however, with the following conditions:-

(a) The cultural programme in connection with in the eve of festival, shall be conducted on 12.10.2017 between 06.00 p.m. and 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 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 second respondent is directed to issue necessary permission, incorporating the above conditions.

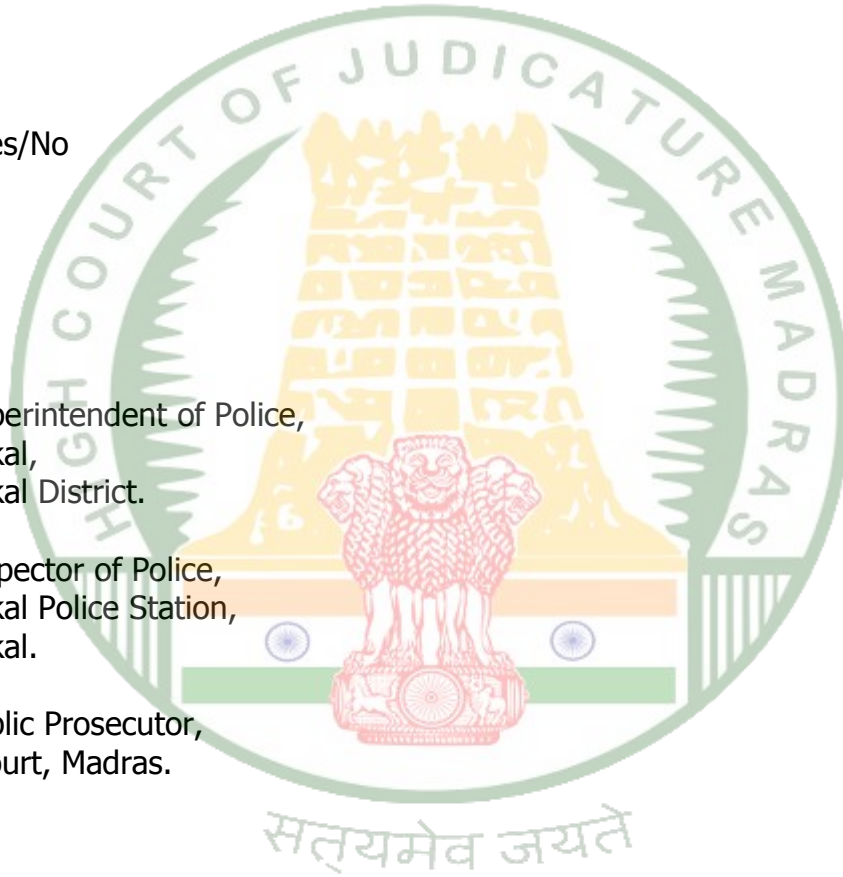
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Index : Yes/No

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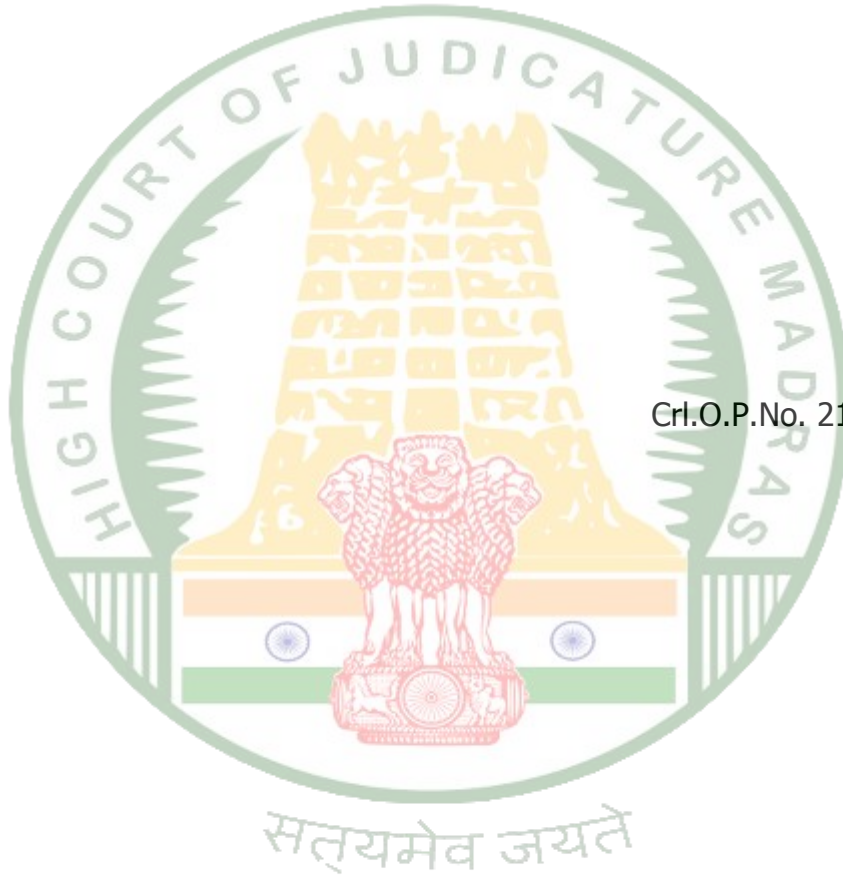
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Namakkal District.
2. The Inspector of Police,
Namakkal Police Station,
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3. The Public Prosecutor,
High Court, Madras.



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M.S.RAMESH, J.

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