

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2017

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THE HONOURABLE Mr.JUSTICE M.S.RAMESH

CrI.O.P.No.21900 of 2017

C.Prakash

.. Petitioner

Vs

The Inspector of Police,
Modakkurchi Police Station,
Modakkurchi,
Erode District.

.. Respondent

Criminal Original Petition filed under Sec.482 of Cr.P.C. praying for a direction to the respondent to consider the representation dated 28.09.2017 to conduct the cultural program at the playground in the Government Boys Higher Secondary School, Modakkurichi on 01.12.2017 around 8 P.M.

For Petitioner : Mr.C.Ramkumar

For Respondent : Mr. P.Govindarajan
Additional Public Prosecutor

O R D E R

Seeking permission to conduct cultural programme in the event of Sri Mariamman temple situated at Modakkurchi, Erode District, at the playground in the Government Boys Higher Secondary School, Modakkurichi on 01.12.2017 around 8 P.M., the petitioner has made a representation dated 28.09.2017 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 Additional Public Prosecutor appearing for the respondent.

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 event of Sri Mariamman temple, Modakkurchi, Erode District, at the playground in the Government Boys Higher Secondary School, Modakkurichi, however, with the following conditions:-

(a) The cultural programme in connection with in the event of Sri Mariamman temple, Modakkurchi, Erode District, shall be conducted on 01.12.2017 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 respondent is directed to issue necessary permission, incorporating the above conditions.

5. With the above directions, the Criminal Original Petition is allowed. सत्यमेव जयते

-s/d-

Assistant Registrar

True Copy

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Sub-Assistant Registrar

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To

1. The Inspector of Police,
Modakkurchi Police Station,
Modakkurchi,
Erode District.

2.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.C.Ramkumar, Advocate Sr.No.73669

Cr1.O.P.No.21900 of 2017

MG (CO)
KP (14.11.2017)



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