

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.11.2017

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THE HONOURABLE Mr.JUSTICE M.S.RAMESH

Crl.O.P.No. 23386 of 2017

V.Muthu Sami

.. Petitioner

Vs

The Sub Inspector of Police,
Belukurichi Police Station,
Rasipuram,
Namakkal District.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying to issue a direction to the respondent police to grant permission to perform the cultural program of 'Adal Padal' on 08.11.2017 night at about 8:00 p.m. to 12:00 Arulmigu Chinna Mariamman Thirukovil, MGR Kalaiarangam situated at Singalanthapuram Post, Rasipuram Taluk, Namakkal District and to provide adequate police protection based on the petitioner's representations dated 15.10.2017 and 30.10.2017.

For Petitioner : M/s.S.Bharathi

For Respondent : Mr.C.Iyyappa Raj

Additional Public Prosecutor

ORDER

Seeking permission to conduct cultural programme in the event of Arulmigu Chinna Mariamman Thirukovil, MGR Kalaiarangam situated at Singalanthapuram Post, Rasipuram Taluk, Namakkal District, the petitioner made a representations dated 15.10.2017 and 30.10.2017 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 Arulmigu Chinna Mariamman Thirukovil, MGR Kalaiarangam situated at Singalanthapuram Post, Rasipuram Taluk, Namakkal District however, with the following conditions:-

(a) The cultural programme in connection with the event of Arulmigu Chinna Mariamman Thirukovil, MGR Kalaiarangam situated at Singalanthapuram Post, Rasipuram Taluk, Namakkal District shall be conducted on 08.11.2017 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.

02.11.2017

Index : Yes/No
dpq
Issue today

To

1.The Sub Inspector of Police,
Belukurichi Police Station,
Rasipuram,
Namakkal District.

2.The Public Prosecutor,
High Court, Madras.

M.S.RAMESH, J.
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