IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2017

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THE HONOURABLE Mr.JUSTICE M.S.RAMESH

Crl.OP.No.25663 of 2017

S.M.Karuppusamy .. Petitioner

Vs

The Inspector of Police,
Vellodu Police Station,
Erode District. .. Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.PC, praying to direct the respondent to consider the petitioner's representation dated 21.11.2017 to conduct the cultural program at Shri Mariamman Temple, Kumaran Nagar, Kauvnichipalayam Village, Vellodu Post, Perundurai Taluk, Erode District which is scheduled to be held on 12.12.2017 & 13.12.2017.

For Petitioner : Mr.P.Rajavel
For Respondent : Mr.C.Iyyappa Raj
Additional Public Prosecutor

O R D E R

Seeking permission to conduct cultural programme in the event of Shri Mariamman Temple, Kumaran Nagar, Kauvnichipalayam Village, Vellodu Post, Perundurai Taluk, Erode District, the petitioner made a representation dated 21.11.2017 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,

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the criminal original petition is allowed and the petitioner is permitted to conduct cultural programme , however, with the following conditions:-

(a) The cultural programme in connection with the event of Shri Mariamman Temple, Kumaran Nagar, Kauvnichipalayam Village, Vellodu Post, Perundurai Taluk, Erode District shall be conducted on 12.12.2017 & 13.12.2017 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 protection and permission, incorporating the above conditions.

Sd/-
Deputy Registrar

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Sub Assistant Registrar

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To

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

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2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.P.Rajavel, Advocate SR.No.83597

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