

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.12.2017

CORAM

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

CrI.O.P.No.28377 of 2017

V.Muthusamy

... Petitioner

Vs

The Inspector of Police,
Rural Police Station,
Thiruchengode,
Namakkal District.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying to direct the respondent to consider the petitioner's representation dated 14.12.2017 made to the respondent, to grant permission in order to conduct the cultural program and to give protection for the said programs which are schedule to be conducted on 10.01.2018 at Pachiyamman Kovil entrance stage and 11.01.2018 at Mari Amman Kovil entrance stage, situated at Devankurichi Village, Thiruchengode Taluk, Namakkal District.

For Petitioner : Mr.J.Ramkumar

For Respondent : Mr.C.Iyyapparaj

Additional Public Prosecutor

ORDER

Seeking permission to conduct cultural programme in the event of Pachiyamman Kovil and Mari Amman Kovil situated at Devankurichi Village, Thiruchengode Taluk, Namakkal District, the petitioner made a representation dated 14.12.2017 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 Pachiyamman Kovil and Mari Amman Kovil, situated at Devankurichi Village, Thiruchengode Taluk, Namakkal District., however, with the following conditions:-

(a) The cultural programme in connection with the event of Pachiyamman Kovil entrance stage on 10.01.2018 and at Mari Amman Kovil entrance stage on 11.01.2018, situated at Devankurichi Village, Thiruchengode Taluk, Namakkal District 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.

19.12.2017

Index : Yes/No

Note: Issue order copy on or
before 22.12.2017

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To

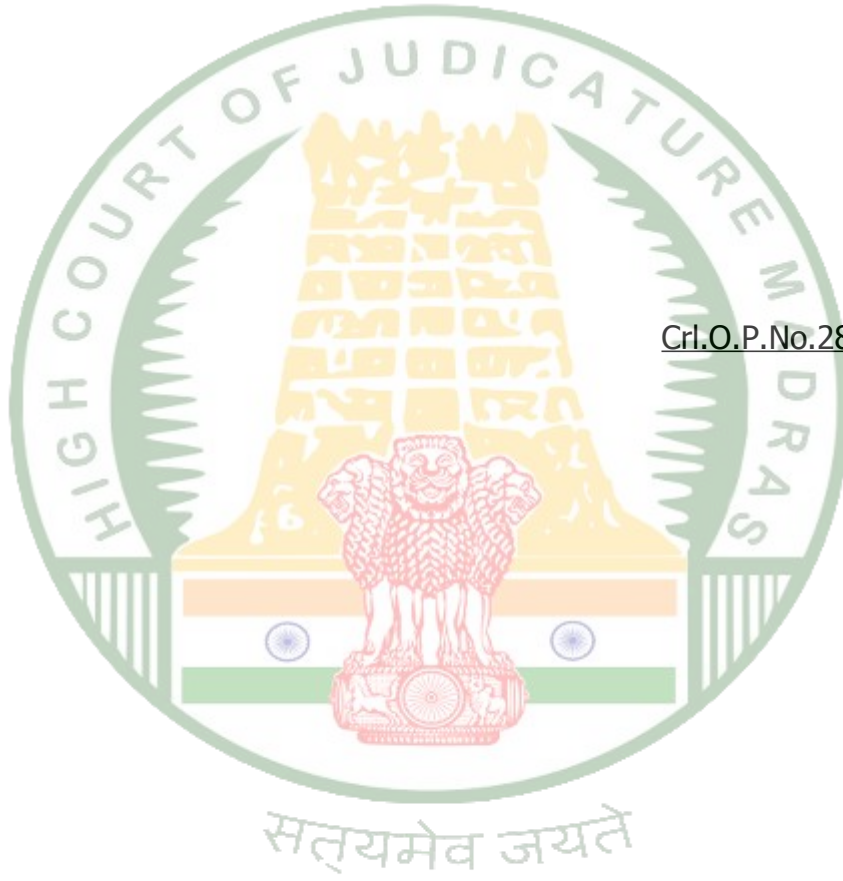
1. The Inspector of Police,
Rural Police Station,
Thiruchengode,
Namakkal District.

2. The Public Prosecutor,
High Court, Madras.

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M.S.RAMESH, J.

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