

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 31.10.2017

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THE HONOURABLE Mr.JUSTICE M.S.RAMESH

CrI.O.P.No.23131 of 2017

P.Selvaraj

.. Petitioner

Vs

The Sub Inspector of Police,  
Pelukurichi Police Station,  
Namakkal District.

.. Respondent

**Prayer:** Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying to issue 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 a.m. at Arulmigu Periya Mariamman Thirukovil, situated at Santhaipettai Thidal, Singalanthapuram Post, Rasipuram Taluk, Namakkal District and to provide adequate police protection based on the petitioner's representations dated 15.10.2017 and 23.10.2017.

(Date of program amended from 18.11.2017 to 08.11.2017 vide memo dated 31.10.2017)

For Petitioner

: Mr.S.Bharathi

For Respondent

: Mr.C.Iyyappa Raj

Additional Public Prosecutor

**ORDER**

Seeking permission to conduct cultural programme in the event of Arulmigu Periya Mariamman Thirukovil, situated at Santhaipettai Thidal,

Singalanthapuram Post, Rasipuram Taluk, Namakkal District, the petitioner made a representations dated 15.10.2017 and 23.10.2017 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 Periya Mariamman Thirukovil, situated at Santhaipettai Thidal, Singalanthapuram Post, Rasipuram Taluk, Namakkal District, however, with the following conditions:-

(a) The cultural programme in connection with the event of Arulmigu Periya Mariamman Thirukovil, situated at Santhaipettai Thidal, 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.

Index : Yes/No

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Issue order copy on 01.11.2017

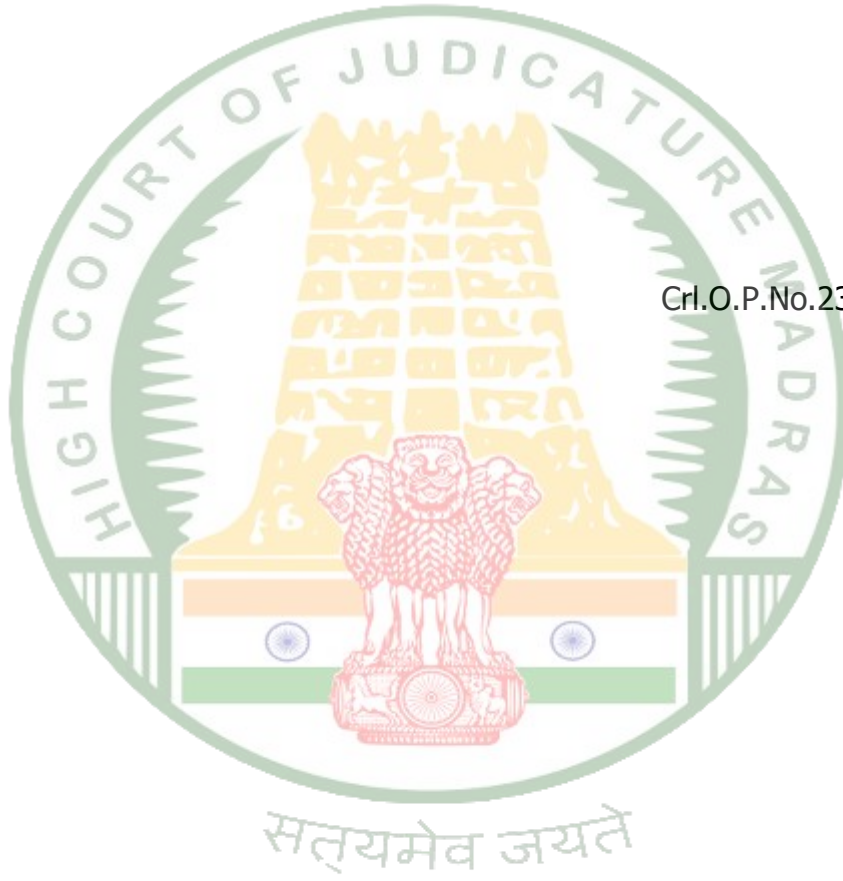
31.10.2017  
(2/2)

To

1. The Sub Inspector of Police,  
Pelukurichi Police Station,  
Namakkal District.

2. The Public Prosecutor,  
High Court, Madras.

M.S.RAMESH, J.  
dpq



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