

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2018

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

Crl.O.P.No.3317 of 2018

P.Prakash

.. Petitioner

Vs

1. State Reperented by
The Superintendent of Police,
Namakkal District.

2. State Represented by
The Inspector of Police,
Tiruchengode Rural Police Station,
Namakkal District.

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the respondents to grant necessary permission and appropriate police protection to conduct the cultural program in the event of Puthumariamman Kovil Festival is to be held on 21.02.2018, situated at Puthumariamman Kovil, Prithi Village, Tiruchengode Taluk, Namakkal District, on the basis of petitioner representation dated 29.01.2018.

For Petitioner : M/s.Dass and Viswa Associates

For Respondents : Mr.C.Raghavan
Government Advocate [Crl. Side]

O R D E R

Seeking permission to conduct cultural programme in the event of Puthumariamman Kovil Festival, Prithi Village, Tiruchengode Taluk, Namakkal District, the petitioner made a representation dated 29.01.2018 to the respondents. As the same has not been considered, the present Crimnial Original Petition has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate [Criminal side] appearing for the respondents.

3. Learned Government Advocate [Criminal side], 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, the criminal original petition is allowed and the petitioner is permitted to conduct cultural programme in the event of Puthumariamman Kovil Festival, Prithi Village, Tiruchengode Taluk, Namakkal District, however, with the following conditions:-

(a) The cultural programme in connection with in the event of Puthumariamman Kovil Festival, Prithi Village, Tiruchengode Taluk, Namakkal District, shall be conducted on 21.02.2018 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 second respondent is directed to issue necessary permission, incorporating the above conditions.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

sjj/nmm

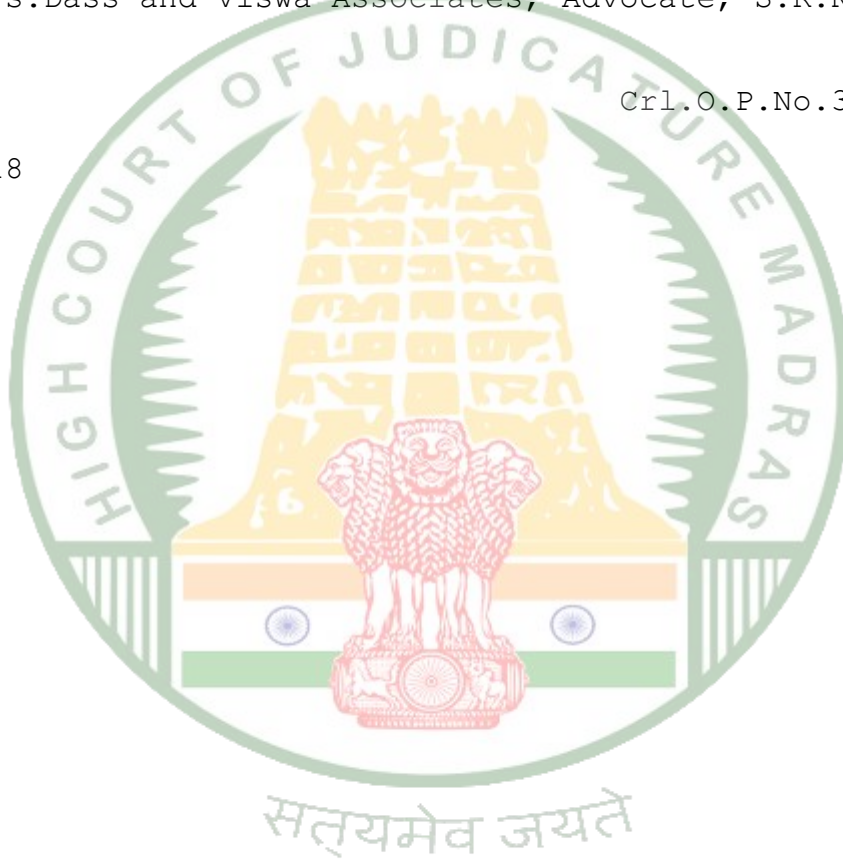
To

1. The Superintendent of Police,
Namakkal District.
2. The Inspector of Police,
Tiruchengode Rural Police Station,
Namakkal District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.Dass and Viswa Associates, Advocate, S.R.No.8910

Crl.O.P.No.3317 of 2018

CS/12/02/18



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