IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2018

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

Crl.OP.No. 8338 of 2018

R.Ponnusamy .. Petitioner

Vs

The Inspector of Police,
Paramathy Police Station,
Namakkal District. .. Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.PC, praying to direct the respondent to grant permission and police protection to conduct the cultural programme (Adal Padal) schedule to be held on 26.03.2018 at Pillur Arulmighu Sri Mahamariamman and Vinayagar Temple Festival, Namakkal District, by considering the petitioner's representation dated 14.03.2018.

For Petitioner : Mr.R.P. Murugan Raja

For Respondent : Mrs.V.Saratha Devi
Government Advocate (Crl. Side)

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O R D E R

Seeking permission to conduct cultural programme in the event of Pillur Arulmighu Sri Mahamariamman and Vinayagar Temple Festival, Namakkal District, the petitioner made a representation dated 14.03.2018 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 Government Advocate (Crl. Side) appearing for the respondent.

3. Learned Government Advocate (Crl. 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,

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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 Pillur Arulmighu Sri Mahamariamman and Vinayagar Temple Festival, Namakkal District, shall be conducted on 26.03.2018 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 respondent is directed to issue necessary protection and permission, incorporating the above conditions.

Sd/-
Assistant Registrar(CCC)

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Sub Assistant Registrar

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To

1. The Inspector of Police,
   Paramathy Police Station,
   Namakkal District.

2. The Public Prosecutor,
   High Court, Madras.

+1cc to Mr.R.P.Murugaraj, Advocate, S.R.No.20242

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