

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2018

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

Crl.OP.No.9410 of 2018

K.Vadivel

.. Petitioner

Versus

The State Rep. by
The Inspector of Police,
Dharapuram Police Station,
Dharapuram District.

... Respondent

Criminal Original Petition filed under Section 482 Cr.PC, praying to direct the respondent to considering the petitioner's representation dated 19.03.2018 made to the respondent to grant permissions and protection in order to conduct the cultural program which is scheduled to be conducted on 28.03.2018 at 8.30 p.m., Arulmighu Maakaliamman Thirukoil, Manthiyapuram Village, Tiruppur District.

For Petitioner : Mr.J.Franklin

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

O R D E R

Seeking permission to conduct Cultural programme in the event of Arulmighu Maakaliamman Thirukoil, Manthiyapuram Village, Tiruppur District, the petitioner made a representation dated 19.03.2018 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 (Criminal Side) 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, 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 Arulmighu Maakaliyamman Thirukoil, Manthiyapuram Village, Tiruppur District, shall be conducted on 28.03.2018 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.

-s/d-

Assistant Registrar (CS-IX)

* Corrected order to be issued.

Sd/- Sub Assistant Registrar

Dated: 28.03.2018.

True Copy

Sub-Assistant Registrar

klt

To

1.The Inspector of Police,
Dharapuram Police Station,
Dharapuram District.

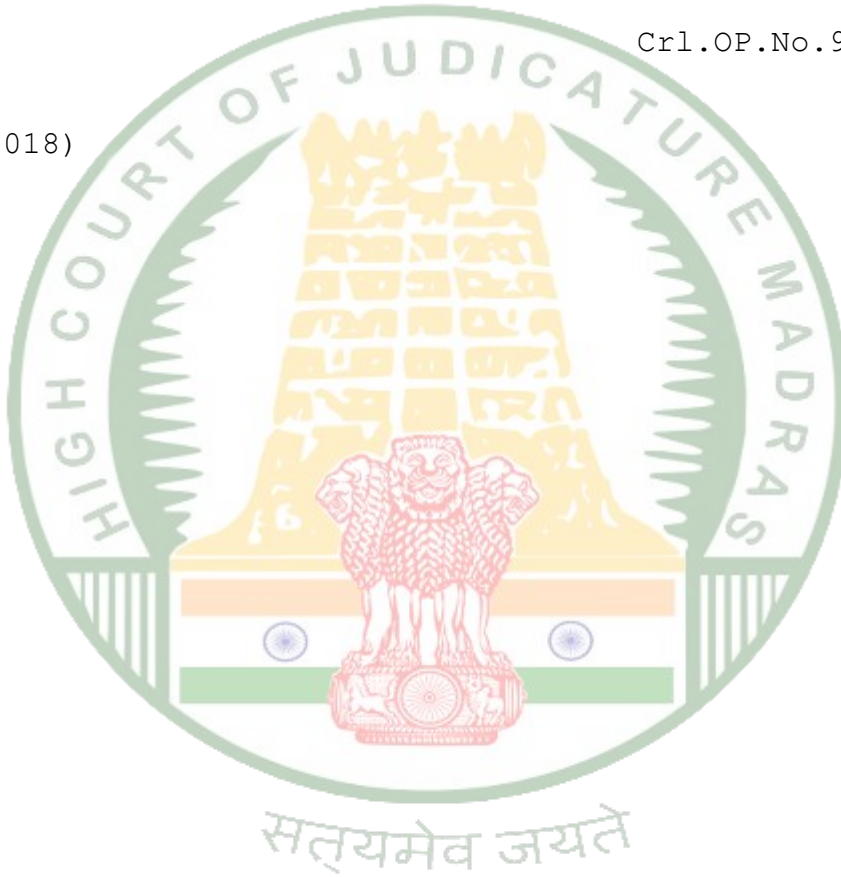
2.The Public Prosecutor,
High Court, Madras.

To be substituted to the
order already despatched
on 28.03.2018.

+1 CC to Mr.J. Franklin, Advocate sr 23074.

Cr1.OP.No.9410 of 2018

RV(CO)
SP(28/03/2018)



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