

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2018

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

Cr1.OP.No.8433 of 2018

V.Palanichamy

.. Petitioner

Vs

1. The Superintendent of Police,
Namakkal District, Namakkal.

2. The Inspector of Police,
Pallipalayam Police Station,
Kumarapalayam Taluk,
Namakkal District.

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.PC, praying to direct the second respondent to give the Bandobust for permission to conduct the cultural programme on 05.04.2018 in the event of Arulmighu Sri Selva Vinayagar Sri Muthumariamman Thirukoil, Pallipalayam Post, Kumarapalayam Taluk, Namakkal District on the petitioner's representation dated 14.03.2018.

For Petitioner : M/s.R.Gopinath

For Respondents : Mrs.V.Saratha Devi
Government Advocate (Cr1. Side)

O R D E R

Seeking permission to conduct cultural programme in the event of Sri Selva Vinayagar Sri Muthumariamman Thirukoil, Pallipalayam Post, Kumarapalayam Taluk, Namakkal District, the petitioner made a representation dated 14.03.2018 to the second 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 (Cr1. Side) appearing for the respondents.

3. Learned Government Advocate (Cr1. 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 , however, with the following conditions:-

(a) The cultural programme in connection with the event of Sri Selva Vinayagar Sri Muthumariamman Thirukoil, Pallipalayam Post, Kumarapalayam Taluk, Namakkal District, shall be conducted on 05.04.2018 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 protection and permission, incorporating the above conditions.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Namakkal District, Namakkal.
2. The Inspector of Police,
Pallipalayam Police Station,
Kumarapalayam Taluk,
Namakkal District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Gopinath Advocate Sr.No.20781

sm:27.3.2018

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