

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2018

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

Crl.O.P.No. 8892 of 2018

S.Kuppusamy

.. Petitioner

Vs

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

2.The Inspector of Police,
Kodumudi Police Station,
Kodumudi, Erode District

.. Respondents

Prayer:Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to direct the respondent to grant permission and protection to conduct cultural programmes, scheduled to be conducted on 26.04.2018 during the festival celebration of Sri Muthumariamman temple at Therkupudupalayam, Kodumudi Taluk, Erode District by considering the representation dated 15.03.2018 to the respondent.

For Petitioner : Mr.R.Prabakar
For Respondent : Mr.C.Raghavan,
Government Advocate(Crl. Side)

O R D E R

Seeking permission to conduct cultural programme in the event of Sri Muthumariamman temple at Therkupudupalayam, Kodumudi Taluk, Erode District, the petitioner made a representation dated 15.03.2018 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 (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, the Criminal Original petition is allowed and the petitioner is permitted to conduct dance programme in the event of Sri Muthumariamman temple at Therkupudupalayam, Kodumudi Taluk, Erode District, however, with the following conditions:-

(a) The cultural programme in connection with in the event of Sri Muthumariamman temple at Therkupudupalayam, Kodumudi Taluk, Erode District shall be conducted on 26.04.2018 between 06.30 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 2nd respondent is directed to issue necessary permission, incorporating the above conditions. No costs.

Sd/-
Assistant Registrar (CS VII)

//True Copy//

Sub Assistant Registrar

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To

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

2.The Inspector of Police,
Kodumudi Police Station,
Kodumudi, Erode District

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.P.Prabakaran, Advocate, S.R.No.22450

Crl.O.P.No.8892 of 2018

RRK(27/03/2018)



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