



புதுச்சேரி மாநில அரசிதழ்

La Gazette de L'État de Poudouchéry The Gazette of Puducherry

PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

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அதிகாரம் பெற்ற
வெளியீடு

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IN THE COURT OF THE SUBDIVISIONAL MAGISTRATE, MAHE

Present : S. MANICKADEEPAN ,
Subdivisional Magistrate, Mahe.

M.C. No. 10/2018, u/s 144 of Cr. P.C.

ORDER UNDER SECTION 144 of Cr. P.C.

To

T.K. Rajeeesh,
S/o. Velayudhan,
C/o. Roshith.K.P.,
Lakshmi Nivas,
P.O.Pandakkal.

Counter Petitioner

Whereas, the Station House Officer, Palloor Police Station, has laid information that the Counter Petitioner is a permanent resident of Karayintavida House, Pathayakunu, P.O.Kathiroor, Kannur which is under Kathiroor Police Station limit of Kannur District in Kerala. He is the convict No. 705/17 of Central Prison Kannur in Cr.No. 433/12 under sections 143, 148, 147, 302, 149, 109, 118, 201, 212, 465 and 471 r/w 34 r/w 120 B IPC and S.3, 4 of Explosive Substance Act of Vadakara

Police Station. This was one of the most sensational political murder case. Counter Petitioner is a worker of CPI (M) Party. He is a life convict in the above-mentioned case. Apart from that two more prisoners of the same case are under parole and one of the prisoner namely, Kirmani Manoj is residing in the Pandakkal Village itself. The Petitioner has also stated that the Counter Petitioner was released on parole on the evening of 11-2-2018 and the letter in this regard received from the Central Prison, Kannur only on 14-2-2018. In normal circumstance before granting parole to life convict political prisoners law and order situation report was taken from the concerned Police Station limit. The Counter Petitioner is not a resident or native of Pallor Police jurisdiction or under the jurisdiction of this Court.

The Station House Officer has informed that Thiru T.K. Rajeesh is residing in the Pandakkal Village created panic in the minds of local inhabitants of the area. Apart from that there is a chance for disturbing law and order situation as again a political murder occurred on 12-2-2018 at Kannur. Further, a case in Cr.No. 09/18 under sections 341, 294(b), 323 and 506 (i) r/w 34 IPC, dated 4-2-2018 was registered at Pallor Police Station due to political enmity among CPI(M) and BJP cadres. There is also stated that if, the Counter Petitioner is allowed in Pallor limit, it is apprehended that he will conspire, other political criminals to indulge in serious offences like assault, murder, explodes country made bombs, criminal intimidation, obstructions, annoyance, *etc.*, and thereby become a perennial source of threat to the community and disturb public peace and order.

And whereas, I am convinced of your involvement in various criminal cases and creates panic in the minds of local inhabitants of the area and your vengeful acts along with your accomplices against your opponents has created pain in the minds of the people.

And whereas, the Station House Officer, Mahe Police Station, has filed a case against you *vide* FIR No. 05/2018 under section 144 of Cr.P.C., dated 6-2-2018 that you have involved many heinous crimes and habitually involving in criminal activities with intent to endanger the human life and property and is being watched by the Police unobstructively in the interest of the public order.

And whereas, the Station House Officer, Palloor Police Station, has prayed to invoke provisions under section 144 (i), (ii) and (iii) of Cr.P.C against you, not to enter into the jurisdiction of Subdivisional Magistrate Court for a period of two months as to prevent danger to the human life and properties and disturbance to the public tranquillity and order.

And whereas, it is brought to the notice of the undersigned that you and your accomplices are likely to indulge in unlawful activities, obstruction and disturbance of peace and tranquility causing damage to life and property and intimidation of general public.

And whereas, based on the report laid before me, I am of the opinion that if, you are allowed to reside within the limits of my jurisdiction, you will continue to indulge in and also motivate others to commit serious offences and thereby become a perennial source of threat to the community and disturb public peace and order. Such situations cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr.P.C. should be invoked to take action against you to prevent harm to life and properties of citizen and uphold public peace and order.

And whereas, while you were summoned to this Court on 20-2-2018 at 3.30 p.m. to enquire on the cases registered on you but, you are not present for the hearing and hence, this order is passed *ex parte*.

And whereas, based on the information laid before me, I am satisfied that there are sufficient grounds for proceeding against you under sections 144 (i), (ii) and (iii) of Cr.P.C.

Now, therefore, based on the reasons stated above, I, S. Manickadeepan, Subdivisional Magistrate, Mahe, in exercise of powers conferred under Code of Criminal Procedure, do hereby prohibit you under section 144 of Cr.P.C. from entering into the region under the control of my jurisdiction for a period of two months from the date of receipt of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Mahe.

At Mahe, dated 19th February 2018.

S. MANICKADEEPAN,
Subdivisional Magistrate, Mahe.
