



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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No. } 128	Poudouchéry	Lundi	5	Août	2019 (14 Sravana 1941)
No. }	Puducherry	Monday	5th	August	2019

IN THE COURT OF THE SUBDIVISIONAL MAGISTRATE (NORTH)
AT PUDUCHERRY

Present : Thiru T. SUDHAKAR,
Subdivisional Magistrate (North).

M.C. No. 308/2019, I.R. No. 92/2019 Under Section 144 of Cr.P.C./1931

ORDER

(UNDER SECTION 144 OF Cr. P.C.)

To

Thiru Sarath@Sarathkumar (25),
S/o. Singaravel,
No. 09, 4th Cross, Tagore Nagar,
Lawspet, Puducherry.

Whereas, it has been made to appear to me that you have trivial and scant respect to the judiciary and rule of law and are involed in various offences against public tranquility, offences affecting property and offences affecting human body and that you have become a perennial source of threat to the community, public peace and order;

And whereas, I am convinced of your involvement in various criminal cases under;

1. Cr.No. 33/17 under sections 147, 148, 302, 201 IPC r/w 149 IPC @ 147, 148, 342, 302, 201 IPC r/w 149 IPC of D' Nagar Police Station, dated 15-02-2017 – Pending Trial.
2. Cr.No. 141/13 under section 4(b) Explosive Substance Act 1908 r/w 149 IPC and 109 IPC of D' Nagar Police Station, dated 15-02-2017 – Pending Trial.
3. Cr.No. 38/13 under sections 324, 506(II) r/w 34 IPC of Lawspet Police Station – Pending Trial.
4. Cr.No. 70/17 under section 25 (i-A) of Arms Act 1959 r/w 34 IPC @ 109,120(b) IPC and 25 (i-A) of Arms Act 1959 r/w 34 IPC of Lawspet Police Station – Pending Trial.
5. Cr.No. 12/19 under section 27 of Arms Act and 34 BIX of PP Act of Lawspet Police Station – Pending Trial and your vengeful acts along with your accomplices against your opponents has created panic in the minds of the people.

And whereas, the Station House Officer, Lawspet Police Station, Puducherry, has filed a case against you *vide* IR.No. 92/2019 under section 144 of Cr.P.C., dated 28-04-2019. It is stated by the Station House Officer, Lawspet Police Station that you have formed a gang of rowdies and bent upon indulging in crime such as murder, assault, intimidation, rioting, theft, damage the property and disturbance to the public tranquility and order, and you have created panic in the minds of local inhabitants and the farmers, and business community in the rural limit. It is also stated that you have become a source of terror among the public. As a result the people of the locality being afraid of you and do not come forward to lodge any complaint against you. It is also stated that even witnesses don't come forward voluntarily to give evidence against you in the cases where you are the accused;

And whereas, it is also stated in the IR that the Station House Officer have received reliable information that you are desperate and is in dire need of money to maintain your group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against you. It is also stated that you are hatching plans to threaten the business people in the Puducherry area and extort money from them by threatening, but, the public do not come forward to lodge any complaints against you due to fear. It is further stated that you also earned displeasure among a section of other rowdy group in the area on account of the grudge against you and hence, rival group is also waiting opportunity to take revenge upon you;

And whereas, the Station House Officer, Lawspet Police Station further submitted that if you, are allowed to reside in Lawspet limits, it is apprehended that you would continue to indulge in serious offences like assault, obstructions, annoyance, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Lawspet Police Station has prayed to invoke provisions under section 144 of Cr.P.C. against you not to enter into the jurisdiction of this Court for a period of six months as to prevent danger to the human life and properties and disturbance to the public tranquility and order;

And whereas, summon were served for your appearance on 01-08-2019, to file your explanation/objection as to why the Subdivisional Magistrate (North), Puducherry should not order to prevent you from entering into the North region under section 144 of Cr.P.C. You have put forth your side which is not convincing;

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 serious offences like murder, extortion, damages to public and private properties, assault, obstructions, annoyance, *etc.*, 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. is invoked to take action against you to prevent harm to life and properties of citizens and uphold public peace and order;

And whereas, I am satisfied that you are an habitual offender, that your activities will endanger human life and properties and your presence is a threat to public tranquility in my Subdivision. Therefore, an immediate action is required for curtailing your illegal activities in the locality;

Now, therefore, based on the reasons stated above I, T. Sudhakar, Subdivisional Magistrate (North), Puducherry, 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 jurisdiction of Subdivisional Magistrate Court (North) for a period of two months from the date 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 Puducherry. However, you may appear either in person or by Pleader before the undersigned to represent against this order.

At Puducherry, dated this the 1st day of August 2019.

T. SUDHAKAR,
Subdivisional Magistrate (North).
