



புதுச்சேரி மாநில அரசிதழ்

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PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

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அதிகாரம் பெற்ற
வெளியீடு

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No. } 20	Poudouchéry	Jeudi	7	Février	2019 (18 Magha 1940)
No. }	Puducherry	Thursday	7th	February	2019

IN THE COURT OF THE SUBDIVISIONAL MAGISTRATE (SOUTH) AT VILLIANUR, PUDUCHERRY

Present : Thiru SHASHVAT SAURABH, I.A.S.
Subdivisional Magistrate (South).

M.C. No. 734/2018, I.R. No. 112/2018 U/s. 144 of Cr.P.C.

ORDER

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

To

Thiru Kovaithambi (34),
S/o. Thiru Kesavan,
No. 18, Middle Street,
Koodapakkam, 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 involved 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. 375/2011 under section 448, 427, 506(1) r/w 34 IPC, dated 17-10-2011 of Villianur Police Station, Puducherry, (2) Cr. No. 80/2012 under section 294(b), 323, 506 (ii) r/w 34 IPC, dated 2-3-2012 of Villianur Police Station, Puducherry and your vengeful acts along with your accomplices against your opponents have created panic in the minds of the people;

And whereas, the Station House Officer, Villianur Police Station, has filed a case against you *vide* IR No. 112/2018 under section 144 of Cr.P.C., dated 21-11-2018. It is stated by the Station House Officer, Villianur Police Station that you have formed a gang of rowdies and bent upon indulging in crime such as hurt, criminal intimidation, rioting and disturbance to the public tranquility and order and you have created panic in the minds of local inhabitants and the farmer 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, the Station House Officer, Villianur Police Station further submitted that if, you are allowed to reside in Puducherry limits, it is apprehended that you would continue to indulge in serious offences like hurt, criminal intimidation, rioting, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order;

And whereas, summons were served for your appearance on 3-1-2019, 31-1-2019 to file your explanation/objection as to why the Subdivisional Magistrate (South), Villianur, Puducherry, should not order to prevent you from entering into the south region under section 144 (3) of Cr.P.C. You have putforth 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 hurt, criminal intimidation, rioting 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, Shashvat Saurabh, I.A.S. Subdivisional Magistrate (South), Villianur, 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 (South) for a period of one month 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.

At Villianur, dated this 31st day of January 2019.

SHASHVAT SAURABH, I.A.S.
Subdivisional Magistrate (South).

**IN THE COURT OF THE SUBDIVISIONAL MAGISTRATE (SOUTH)
AT VILLIANUR, PUDUCHERRY**

Present : Thiru SHASHVAT SAURABH, I.A.S.
Subdivisional Magistrate (South).

M.C. No. 740/2018, I.R. No. 32/2018 U/s. 144 of Cr.P.C.

ORDER

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

To

Thiru Oviyan @ Irusappan @ Arumugam (29),
S/o. Thiru Kaliyamoorthy,
Ambedkar Nagar,
Katterikuppam Colony, 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 involved in various offences against public tranquility, offences affecting decency and morals 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. 136/2003 under section 342, 324, 506(1) r/w 34 IPC, dated 15-5-2003 of Villianur Police Station, Puducherry, (2) Cr. No. 549/2003 under section 324, 506 r/w 34 IPC, dated 18-12-2003 of Villianur Police Station, Puducherry, (3) Cr. No. 251/2004 under section 294, 427 r/w 34 IPC, dated 16-4-2004 of Villianur Police Station, Puducherry, (4) Cr. No. 501/2004 under section 341, 323, 506 r/w 34 IPC, dated 1-9-2004 of Villianur Police Station, Puducherry, (5) Cr. No. 56/2006 under section 324, 506(ii) IPC, dated 10-2-2006 of Villianur Police Station, Puducherry, (6) Cr. No. 142/2006 under section 294, 354, 506(ii) r/w 34 IPC, dated 6-4-2006 of Villianur Police Station, Puducherry, (7) Cr. No. 259/2007 under section 147, 448, 436, 302 r/w 149 IPC, dated 29-8-2007 of Villianur Police Station, Puducherry, (8) Cr. No. 116/2010 under section 341, 323, 506(i) r/w 34 IPC, dated 17-3-2010 of Villianur Police Station, Puducherry, (9) Cr. No. 184/2012 under section 294, 324, 506(ii) r/w 34 IPC, dated 24-5-2012 of Villianur Police Station, Puducherry, (10) Cr. No. 268/2012 under section 294, 324, 506(ii) r/w 34 IPC, dated 21-9-2012 of Villianur Police Station, Puducherry, (11) Cr. No. 20/2013 under section 25 1-A of ARs Act, 1959, dated 9-4-2013 of Katterikuppam Police Station, Puducherry, (12) Cr. No. 45/2014 under section 324, 506(ii) r/w 34 IPC, dated 3-3-2004 of Villianur Police Station, Puducherry, (13) Cr. No. 48/2018 under section 323, 506(i), dated 19-10-2018 of Sedarapet Police Station, Puducherry and your vengeful acts along with your accomplices against your opponents have created panic in the minds of the people;

And whereas, the Station House Officer, Katterikuppam Police Station, has filed a case against you *vide* IR No. 32/2018 under section 144 of Cr.P.C., dated 3-12-2018. It is stated by the Station House Officer, Katterikuppam Police Station that you have formed a gang of rowdies and bent upon indulging in crime such as murder, theft, intimidation, rioting and making disturbance to the public tranquility and order and you have created panic in the minds of local inhabitants and the farmer 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 FIR that the Station House Officer has 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 complaint against you due to fear.

And whereas, the Station House Officer, Katterikuppam Police Station further submitted that you are in the habit of motivating young person to involve in various offences by using aruval, knife and explosive substances to attack the victims. It is also stated that if, you are allowed to reside in Puducherry limits, it is apprehended that you would continue to indulge in serious offences like murder, extortion, damages to public and private properties, assault, obstructions, annoyance, *etc.*, and there by emerged as a perennial source of threat to the community and disturb public peace and order;

And whereas, summons were served on you for your appearance on 3-1-2019 to file your explanation/objection as to why the Subdivisional Magistrate (South), Villianur, Puducherry, should not order to prevent you from entering into the south region under section 144 (iii) of Cr.P.C. and 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 others to commit 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, Shashvat Saurabh, I.A.S. Subdivisional Magistrate (South), Villianur, 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 control of my jurisdiction 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.

At Villianur, dated this 31st day of January 2019.

SHASHVAT SAURABH, I.A.S.
Subdivisional Magistrate (South).

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