



புதுச்சேரி மாநில அரசிதழ்

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

PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

EXTRAORDINARY

அதிகாரம் பெற்ற
வெளியீடு

Publiée par
Autorité

Published by
Authority

விலை : ₹ 4-00

Prix : ₹ 4-00

Price : ₹ 4-00

எண்	புதுச்சேரி	வெள்ளிக்கிழமை	2019 ஸ்ரீ	மார்ச் மீ	29 உ
No. } 72	Poudouchéry	Vendredi	29	Mars	2019 (8 Chaitra 1941)
No. }	Puducherry	Friday	29th	March	2019

GOVERNMENT OF PUDUCHERRY
IN THE COURT OF SUBDIVISIONAL MAGISTRATE AT KARAIKAL

M.C. No. 82/2019

I.R. No. 03/2019 of the T.R. Pattinam Police Station, dated 8-3-2019

*Endt. : 2581/DCK/A3/2019 of the Collector-cum-District Magistrate,
dated 19-3-2019.*

PROHIBITORY ORDER

(UNDER SECTION 144 (i) and (ii) OF Cr. P.C.)

Whereas, one F.I.R. was filed by the Station House Officer, T.R. Pattinam Police Station, *vide* I.R. No. 03/2019, dated 8-3-2019 under section 144 (i) and (ii) Cr. P.C. in the Court of District Magistrate-cum-Collector, Karaikal and hence, forwarded to this Court *vide* Endorsement No. 2581/DCK/A3/2019, dated 19-3-2019. A special report filed by the Station House Officer to describe the information laid

under section 144 of Cr. P.C. goes on to narrate the criminal activities of the accused namely, R. Ezhilarasi @ Meera (38), w/o. Ramu @ Radhakrishnan who has been reportedly indulging in serious offences like organized murders, extortion, hurt, criminal intimidation and thereby, became a perennial source of threat to the community and disturbance to the public tranquility.

2. Whereas, the information laid by the Station House Officer, T.R. Pattinam, Police Station under section 144 of Cr. P.C. has listed out the record of previous cases registered against the accused as detailed below:—

(i) Cr. No. 53/13 under sections 143, 148, 341, 120(b), 302 IPC r/w 149 IPC of Neravy Police Station, dated 8-7-2013.

The counter petitioner had hired the hooligans for committing the murder as revenge for the murder of her husband Ramu @ Radhakrishnan that some six unknown male persons in prosecution of their common object formed themselves into an unlawful assembly way laid and all the accused persons assaulted the deceased Iyyappan by using lethal weapons caused injuries over his head, body and thereby, committed murder of him. During the course of investigation, the counter petitioner and 18 others were arrested. This case was charged on 5-5-2015 *vide* Charge Sheet No. 37/2015. This case is pending trial before the Hon'ble District Sessions Court, Karaikal.

(ii) Cr. No. 322/15 under sections 147, 148, 341, 342, 294(b), 506(II), 302 r/w 3(1) of PPDT Act of Sirkali Police Station, dated 26-4-2015.

The counter petitioner had hired the hooligans for committing the murder as revenge for the murder of her husband that the counter petitioner along with her brother Murugavel, her brother's son Raj @ Rajagopal, Vikaraman, Sethappa and others (Hooligans of Chennai) had committed murder of one Vinotha, w/o. Ramu @ Radhakrishnan. During the course of investigation, the counter petitioner and others were arrested. This case was charge sheeted on 15-7-2015. This case is pending trial.

(iii) Cr. No. 01/2017 under sections 147, 148, 332, 395, 307, 448, 302, 120(b), 427 IPC r/w 149 IPC and 3 and 4 of Explosive Substances Act, 1908 of Neravy Police Station, Karaikal.

The counter petitioner has hired the hooligans from Trichy for committing the murder as revenge for the murder of her husband Ramu @ Radhakrishnan that some unknown culprits about 7 members had joined together formed themselves into an unlawful assembly armed with deadly weapons and country made bombs in prosecution of common object hurled the country made bomb at front mirror of the car bearing Reg. No. PY-02-P-6789 extorted the carbine gun from the complainant who is the gunman of the deceased and criminally trespassed into the construction site and assaulted the deceased Ex-M.L.A. Thiru V.M.C. Sivakumar by using lethal weapons by causing cut injuries on his body and head and thereby committed murder of him due to previous enmity. During the course

of investigation, the counter petitioner and others were arrested. The Case was charge sheeted on 2-5-2018 *vide* Charge Sheet No. 28/2018, PRC No. 22/2018 and pending trial before the Hon'ble District Session's Court, Karaikal.

(iv) Cr. No. 266/11 under sections 147, 148, 307, 324, 323, 354, 506(II) r/w 149 IPC, dated 7-8-2011 of Town Police Station, Karaikal.

The counter petitioner along with her husband Ramu @ Radhakrishnan, Vikraman, Suresh, Babu, Kandippan and Tahmizh had in prosecution of their common object formed themselves into an unlawful assembly assaulted the complainant Vinotha, w/o. Ramu @ Radhakrishnan following which on 7-8-2011 at 23.456 hrs, a complaint was registered. During the course of investigation, the counter petitioner and other accused concerned in this case were arrested. This case was charge sheeted on 31-12-2012 *vide* Charge Sheet No. 216/2011 *vide* SC No. 03/2016 and the case was ended in acquittal under section 235 (1) CRPC, dated 2-8-2018 by the Hon'ble District Session's Court, Karaikal.

(v) Cr. No. 77/2016 under section 384 IPC r/w 34 IPC, dated 18-9-2016 of T.R. Pattinam Police Station.

The counter petitioner had allegedly rang up to the complainant Thiru V.M.C. Sivakumar, Ex-M.L.A. of T.R. Pattinam on 18-9-2016 at 20.15 hrs and also on 18-9-2016 at 14.00 hrs, to his daughter one Ushadevi, to threaten them for delivery of money that was in business worth of her husband Ramu @ Radhakrishnan and thereby committed Extortion. During the course of investigation, the counter petitioner was arrested in this case. Later this case was charged on 26-4-2017. The case is pending trial before the Hon'ble Judicial Magistrate-II Court, Karaikal.

(vi) Cr. No. 02/2017 under sections 336, 427 r/w 34 IPC and 3 and 4 of Explosive Substances Act 1908, dated 3-1-2017 of T.R. Pattinam.

Two unknown male persons had in furtherance of their common intention so as to endanger the life and personal safety of the people had hurled country made bombs at the gate of the said Ganesh Bar and thereby caused damages to the bar. During the course of investigation, the counter petitioner was arrested as she had instigated the other accused involved in this case to hurl country made bomb after the completion of murder of Thiru V.M.C. Sivakumar on 3-1-2017 at 13.15 hours. The accused Ezhilarasi and her associates were arrested and they were released on bail by the Hon'ble Court. The case was charge sheeted on 18-10-2017 *vide* Charge Sheet No. 18/2017, PRC No. 6/2017 and pending Trail before the Hon'ble Court, Karaikal.

(vii) Cr. No. 104/2011, under sections 147, 448, 323, 506 IPC r/w 149 IPC, dated 7-7-11 of T.R. Pattinam Police Station.

The counter petitioner along with other accused persons namely, Suresh, Kandipan, Vikraman, Babu had in prosecution of their common object formed themselves into an unlawful assembly criminally trespassed into the house of the complainant Vinotha, w/o. Ramu @ Radhakrishnan of

T.R. Pattinam, assaulted her by their hands and also threatened her on 7-7-2011 at 15.45 hrs. During the course of investigation, the counter petitioner was arrested in this case. Later this case was charged on 19-7-2011, *vide* CC. No. 921/2011 and is pending trial before the Hon'ble Judicial Magistrate-II Court, Karaikal.

(viii) On 30-06-2017 a case under section 3(2) of the Puducherry Prevention of Anti-Social Activities Act, 2008 was registered against the Counter Petitioner R. Ezhilarasi @ Meera and hence, the District Magistrate, Karaikal, had issued a detention order *vide* No. 6051/DM/RO/D2/PPASAA/2017, dated 6-7-2017 under the provisions of Puducherry Prevention of Anti-Social Activities Act, 2008 of (Act No. 10 of 2010), following which she was detained under the provisions of the said act, as there was serious apprehension of danger to the life and property of the citizens and disturbance to the public peace and order. The counter petitioner had hired three different hooligan groups from Tamil Nadu for committing the above three murders as mentioned at para 2(i), 2(ii) and 2(iii) above. She had also planned to commit murder of the other accused persons who are involved in the commission of her second husband namely Ramu @ Radhakrishnan's murder.

3. The petitioner being the Station House Officer of T.R. Pattinam Police Station has submitted that the counter petitioner has formed a gang of rowdies and is bent upon indulging in criminal activities such as murders, extortion, hurt, criminal intimidation, Arms Act violation and disturbance to the public tranquilly and order which have created panic in the minds of local inhabitants and the business community living under the jurisdiction of the T.R. Pattinam Police Station limit. She is operating in T.R. Pattinam and Neravy adjoining areas and has become a source of terror among the public. The general public of the above localities are afraid of her and they do not come forward to lodge complaint against her due to fear of retaliation and revenge. The prosecution witnesses are having fear to depose evidence against her and hence, they do not volunteer.

4. The petitioner further submits that the counter petitioner had invariably used deadly weapons in commission of the above crimes, thereby, the general public were affected at large and spent sleepless nights in panic and fear of death, extortion and hurt. The petitioner further submits that the counter petitioner is a gang leader and leads a team by hiring criminals from the neighboring State, *i.e.*, Tamil Nadu to commit grave offences. In general, the public fear of their life posed by this anti-social element along with her associates. Taking advantage of fears of public, the counter petitioner is going ahead in her unlawful acts which are detrimental to the public peace and tranquility which are likely to create panic and sense of insecurity in the Society.

5. The petitioner further submits that the Police intelligence reveals that counter petitioner has planned to extort money from merchants, selected targets of people to have accumulated money through illegal means with the aid of her active associates which needs to be clinched out at the very beginning itself. The same was established through the special report of SGHC 2357, the same was entered on 29-6-17 in G.D. Vol. No. 25, Page No. 32 and Serial No. 24 of T.R. Pattinam Police Station.

6. Whereas, the counter petitioner has been reported as a notorious criminal who does not bother on discipline and morale of Society, ignorant of the Police warnings and she is reportedly heading a gang of hooligans to move around in the view of public to inflict fear in minds of general public, merchants and people of business class and others. She moves around with her henchmen as a gang leader. It has been reported by the Station House Officer, T.R. Pattinam Police Station that the counter petitioner has planned to eliminate the alleged conspirators involved in the commission of murder of her husband and also who have been listed to have assisted the assailants namely, Govindaraj and Maheshwaran of Karaikal to escape after the murder of her husband namely, Ramu @ Radhakrishnan. In conclusion, the Station House Officer, T.R. Pattinam Police Station being the petitioner has submitted that the counter petitioner is a hard core criminal and detrimental to the peace and tranquility of public life and the security of the public is at stake due to her notorious criminal activities. She along with her active associates are waiting to extort money from people of rich wealth and business community by inflicting fear of threat to their life so as to accumulate amazing wealth to fund her heinous act. The same was established through the special report of PC 3385 and the same was entered on 29-6-17 in GD Vol. No. 25, Page No. 32 and Sl.No. 26 of T.R. Pattinam Police Station.

7. Therefore, the petitioner has submitted to this Court that the counter petitioner R. Ezhilarasi @ Meera, w/o. Ramu @ Radhakrishnan may be ordered not to enter into Karaikal District for a period of 3 (three) months in order to prevent the danger to the human life and properties and disturbance to the public tranquility and order in jurisdiction of the Hon'ble District Magistrate, Karaikal by invoking the provisions under section 144 (i) and (ii) Cr. P.C. except on the days she is summoned by any other Hon'ble Court of Law at Karaikal.

8. Whereas, I am satisfied that based on the information placed before me and other facts which are brought out through enquiry report placed by the Station House Officer, T.R. Pattinam Police Station that if, the CP is allowed to move free handedly within the jurisdiction of Karaikal District, then her free movement would cause fear and apprehension in the minds of general public which would also severely affect the smooth conduct of free and fair polling in the ensuing Lok Sabha Elections-2019 scheduled on 18-4-2019.

9. Whereas, the counter petitioner was summoned to appear in this Court on 21-3-2019 at 4.00 p.m. to answer to the charges under section 144 (i) and (ii) Cr. P.C. *vide* summons served under M.C. No. 82/2019, dated 19-3-2019. While, the counter petitioner was called absent and the petitioner appeared to state that summons could not be served to the accused at the residential address as specified in I.R. No. 03/2019 and she was not found in such an address. The petitioner however continued to depose before this Court on the contents of information laid under section 144 (i) and (ii) Cr. P.C. A special report filed by the petitioner on 25-3-2019 stated as to have affixed summons of this Court in M.C. No. 82/2019, dated 19-3-2019 at the residential house of the counter petitioner on 24-3-2019 and taken photographs of having done so. While, the counter petitioner was called absent on the day of enquiry by this Court on 25-3-2019 also.

10. Whereas, in my opinion, it has been made to appear to me that there are sufficient grounds for proceeding against the counter petitioner under section 144 (i) and (ii) Cr. P.C. Hence, an order dated 25-3-2019 in M.C. No. 82/2019 was passed by this Court to direct the counter petitioner to appear in person before this Court on 27-3-2019 at 3.30 p.m. to show cause as to why she should not be ordered not to enter the entire region of Karaikal District which is under the jurisdiction of this Court, for a period of 2 (two) months except on the days she is summoned by any other Hon'ble Court of Law at Karaikal.

11. Whereas, the counter petitioner failed to appear before this Court on 27-3-2019 also as directed by the order of this Court, dated 25-3-2019 in M.C. No. 82/2019. The Station House Officer, T.R. Pattinam Police Station appeared before this Court and submitted a special report on 27-3-2019 to state that the counter petitioner was not available at the I.R. mentioned address, hence, the order of this Court, dated 25-3-2019 could not be served to the counter petitioner at the residential address as specified in I.R. No. 03/2019 and she was not found in such an address. The petitioner however stated as to have affixed the order of this Court in M.C. No. 82/2019, dated 25-3-2019 at the residential house of the counter petitioner on 27-3-2019 and taken photographs of having done so. While, the counter petitioner was called absent on the day of enquiry by this Court on 27-3-2019 also.

12. Whereas, the learned Counsel Thiru S. Thirumurugan, B.A., LL.B, Advocate of Karaikal filed a vakalat nama dated 27-3-2019, signed by the counter petitioner and submitted in the Office of the Deputy Collector (Revenue)-cum-Subdivisional Magistrate, Karaikal vide No. 3664, dated 28-3-2019 along with her petition seeking extension of time to file her counter. This Court seized to grant any further time of extension to the counter petitioner to show cause for the order passed by this Court in M.C. No. 82/2019, dated 25-3-2019 since orders to be passed by this Court are of paramount importance to ensure safety and security of the Society of people in Karaikal District immune from the cruel some criminal activities of the counter petitioner. Hence, this Court is inclined to pass final orders under section 144 (i) and (ii) of Cr. P.C. to restrain her entry into the area under the jurisdiction of this Court.

13. Hence, I, M. Adharsh, Subdivisional Magistrate, Karaikal, after going through the information laid before me and also after satisfying myself of the need for prohibition of certain activities of the counter petitioner, doth hereby pass prohibitory orders to the counter petitioner, R. Ezhilarasi @ Meera, w/o. Ramu @ Radhakrishnan, under section 144 (i) and (ii) of Cr. P.C. to restrain her not to enter into the entire region of Karaikal District which is under the jurisdiction of this Court, for a period of 2 (two) months (or) 60 (sixty) days with effect from the date of issue this order (or) till any further order passed by the competent authority revoking this prohibitory order as per law whichever is earlier, except for the days she is summoned by any other Hon'ble Courts of law at Karaikal District.

Dated, this 28th day of March, 2019.

M. ADHARSH,
Subdivisional Magistrate, Karaikal.

online publication at "<https://styandptg.py.gov.in>"
Published by The Director, Government Press
Printed at: Government Central Press, Puducherry.
Posted at: Puducherry HPO on every Tuesday