



புதுச்சேரி மாநில அரசிதழ்

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PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

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வெளியீடு

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No.	119 Poudouchéry	Jeudi	20	Août	2020 (29 Sravana 1942)
No.	Puducherry	Thursday	20th	August	2020

IN THE COURT OF THE SUBDIVISIONAL MAGISTRATE KARAIKAL

Present : Thiru M. ADHARSH,
Subdivisional Magistrate, Karaikal.

**M.C. No. 19/2020, I.R. No. 01/2020 of the
T.R. Pattinam Police Station, dated 04-03-2020**

Station House Officer,
T.R. Pattinam Police Station, Karaikal.

. . Petitioner

Bala @ Pulsar Bala @ Balamurugan,
S/o. Chandirasekar,
No. 34, Mariamman Koil Street,
Polagam, T.R. Pattinam, Karaikal.

. . Counter Petitioner

PROHIBITORY ORDER

(UNDER SECTION 144(i) (ii) & (iii) of Cr.P.C.)

Whereas, one special report was filed by the Station House Officer, T.R. Pattinam Police Station, Karaikal *vide* I.R. No. 01/2020 under sections 144, 41, 110, 133, 145 and 151 of Cr.PC in this Court. The report filed by the Station House Officer, T.R. Pattinam Police Station, goes on to describe the criminal activities of

the accused namely, Bala @ Pulsar @ Balamurugan who has been reportedly indulging in serious offences like, extortion, hurt, criminal intimidation and thereby became a perennial source of threat to the community and disturbance to the public tranquility;

2. The Petitioner has submitted that the Counter Petitioner is a permanent resident of Polagam, T.R. Pattinam, Karaikal, which comes under the territorial jurisdiction of this authority. The counter petitioner is reported to have been a very dangerous criminal, habitually involving in body and property offences punishable under the Chapters of Indian Penal Code as applicable. The counter petitioner is reported to have nexus with hooligans of Tamil Nadu areas such as Chennai, Trichy, Thiruvavur, Tanjavur, Kancheepuram, *etc.*, The counter petitioner Bala @ Balamurugan, though involved in crimes like dacoity, hurt, *etc.*, most of the victims being scared of him who had not preferred complaint with the Police. However, some of them lodged a few complaints against his notorious activities which were registered and investigated. The counter petitioner is stated to be a strong and reliable source of support for the lady gangster Ezhilarasi @ Meera, being a murder accused and also one Vivie @ Vikraman of T.R. Pattinam. She is being guarded and guided by this counter petitioner. This counter petitioner had invariably used deadly weapons in commission of the crimes as listed in the enclosure to this Order due to which the general public were affected at large.

3. Whereas, the information laid by the Station House Officer, T.R. Pattinam Police Station under section 144 Cr.PC who has listed out the record of previous cases registered against the Counter petitioner as detailed in the special report filed by the Station House Officer, T.R. Pattinam Police Station, *vide* I.R. No. 01/2020 under sections 144, 41, 110, 133, 145 and 151 of Cr.PC.

4. Whereas, the petitioner further submits that in view of the above reason, the counter petitioner Bala @ Pulsar @ Balamurugan has become dangerous element to the society. The counter petitioner has been reported to be continuing his criminal activities in Karaikal region with aid and support of his associate, Ezhil @ Ezhilarasi @ Meera who is second wife of deceased Ramu @ Radhakrishnan who was hacked to death by a gang of hired killers.

5. Whereas, according to the petitioner, it is necessary to keep counter petitioner under preventive and prohibitory orders so as to curtail his criminal activities and to ensure Safety and security to the community and maintenance of public orders under the provision of section 144 of Cr.P.C which is preventive. Hence, the Station House Officer had registered a case in IR. No. 01/2020 under section 144 of Cr.P.C on 04-03-2020 at 19.30 hrs. and praying before this Court that the counter petitioner may be ordered not to enter in Karaikal region for a period of six months excepts on days when he is summoned to attend the cases by the Hon'ble Court, Karaikal, so as to prevent danger to the human life and properties and disturbance to the public tranquility and order in the karaikal region by invoking the provovision under section 144 (i), (ii) & (iii) of Cr.P.C.

6. Therefore, the Petitioner prayed that the counter petitioner may be ordered not to enter into the Karaikal District for a period of six months so as to prevent danger to the human life and properties and disturbance to the public tranquillity and good order in the jurisdiction of this Subdivisional Magistrate, Karaikal, by invoking the provisions under section 144 (i), (ii) & (iii) of Cr.P.C., except on the days he is summoned by any Court of Law.

7. Whereas, the counter petitioner was summoned to appear in this Court on 18-03-2020 at 3.30 p.m. to answer to the charges under section 144 Cr.PC. *vide* summons served under M.C. No. 19/2020, dated 09-03-2020. While the counter petitioner and the petitioner appeared to depose on their versions to justify their claims that the counter petitioner has filed his objections over the points of allegations as levelled against him by the petitioner that all grounds of allegations are fabricated on him with the vested interests.

8. 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 namely, Bala @ Pulsar Bala @ Balamurugan, s/o. Chandirasekar and directed the counter petitioner to appear in person before this Court on 15-04-2020 at 3.30 p.m. to show cause as to why he should not be ordered not to enter the entire region of Karaikal District with immediate effect which is under the jurisdiction of this Court for a period of 2 (Two) months except on the days he is summoned by any other Hon'ble Court of Law at Karaikal.

9. Whereas, the counter petitioner had represented himself through his memo filed to quote reasons for his non appearance citing the orders on imposition of curfew under section 144 Cr.PC. due to Covid-19 Lockdown. Later on, his Counsel represented the counter petitioner through his waqalat only on 19-06-2020. After seeking time to file his counter, the learned Counsel Thiru P. Pon Murugan, B.A., LL.B., appeared for Counter petitioner before this Court on 01-07-2020 only to contest the allegations levelled by the petitioner to invoke provisions under section 144 (i) (ii) & (iii) of Cr.PC. on the counter petitioner. While the Counsel for the counter petitioner had refuted all charges and grounds produced to seek prohibitory orders from this Court, he also stated that the counter petitioner had been involved in social service activities during the Covid-19 Lockdown period and only with the intention to tarnish his image, such a petition is filed by the Petitioner with ulterior motive only to restrict his entry into hometown with an intention to get him exposed to the infectious conditions of the prevailing Covid-19-Pandemic. The learned Counsel also has highlighted the point that right after the special report on prohibitory orders sought under section 144 (i) (ii) & (iii) of Cr.PC. on the counter petitioner *vide* I.R. No. 01/2020 of the T.R.Pattinam Police Station, dated 04-03-2020, no specific incident so as to level charges on any one of such criminal activities of the counter petitioner has occurred which is certainly an indicator on the good behavior on the part of the counter petitioner. Hence, the learned Counsel had prayed for the dismissal of the petition, seeking prohibitory orders on the counter petitioner.

10. Whereas, the petitioner being the Station House Officer, T.R. Pattinam Police Station had filed two counter objections, dated 29-07-2020 and also 30-07-2020 challenging the counter filed by the learned Counsel of the counter petitioner that the very presence of the counter petitioner in T.R. Pattinam Police limit itself appears to be promoting, augmenting and strengthening the atrocities and criminal activities of the Lady Gangster Ezhilarasi @ Meera in the area of jurisdiction covered under the T.R.Pattinam Police Station limits. It is pertinent to mention that soon after Tmt. Ezhilarasi @ Meera was released from the preventive detention under the Puducherry Prevention of Anti-Social Activities Act-2008 by the Orders of the Hon'ble High Court of Judicature at Madras on 17-06-2020 *vide* HCP. No. 275/2020, she was again found accused for alleged Extortion in the Karaikal Town Police Station limits in Crime No. 244/2020 under section 387 IPC r/w 34 IPC,

dated 08-07-2020 and still evading arrest by the Police while the counter petitioner is involved in this case also and remanded to Judicial Custody in Kalapet, Central Prison, Puducherry even till date. While this Court posted the case for cross-examination of the petitioner on 10-08-2020 as preferred by the learned Counsel for the counter petitioner, the same was not done since both petitioner and counter petitioner were called absent on that day.

11. 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 counter petitioner is allowed to move free handedly within the jurisdiction of Karaikal District, then his free movement would cause fear and apprehension in the minds of general public which would also severely affect the public tranquility, good order, common peace in the area of living within the jurisdiction of T.R. Pattinam Police Station and also within the entire jurisdiction of this Court in Karaikal District since his close association with the Lady Gangster Ezhilarasi @ Meera, who is the main accused in at least three murder cases and also the combined activities of the counter petitioner in company of his another close aide Vivie @ Vikraman, the another murder accused would certainly instigate many more criminal activities to send fearsome sense of insecurity of life in the minds of general public if, the movements of the counter petitioner are not contained by the prohibitory orders.

12. 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, Bala @ Pulsar Bala @ Balamurugan, s/o. Chandirasekar under section 144 (i) (ii) & (iii) of Cr.PC to restrain him not to enter into the entire region of Karaikal Taluk 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 he is summoned by any other Hon'ble Courts of law at Karaikal District.

Dated, this 13th day of August, 2020.

M. ADHARSH,
Subdivisional Magistrate.