



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. } 32	Poudouchéry	Mardi	18	Février	2020 (29 Magha 1941)
No. }	Puducherry	Tuesday	18th	February	2020

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

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

M.C. No. 08/2020, I.R. No. 02/2020 Under Section 144 of Cr.P.C./256

ORDER

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

To

Hemu @ Hemanathan (22),
S/o. Babu,
No. 47, Kurinji Street,
Bharathi Nagar, Ariyankuppam,
Puducherry.

Whereas, it has been submitted by the Station House Officer, Ariyankuppam Police Station, Puducherry, that you are involving 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 as under—

1. Cr.No. 192/2017 under section 294(b), 324,387, 506(ii) IPC r/w 34 IPC-Pending Trial.
2. Cr.No. 66/2019 under section 341, 324,506(ii) IPC r/w 34 IPC, dated 21-05-2019-Pending Trial.

And whereas, it is evident from the above cases that you have involved in committing serious offences which would endanger the life of innocent public and their peace and order. 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, Ariyankuppam Police Station, Puducherry, has filed a case against you through the Superintendent of Police (South), Puducherry *vide* IR.No. 02/2020 under section 144 of Cr.P.C., dated 10-01-2020. It is stated by the Station House Officer, Ariyankuppam Police Station, that you have formed a gang of rowdies and bent upon indulging in crime such as attempt to murder, hurt, assault, rioting, obstructions, annoyance, damages to public and private properties 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 I.R 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. You also violated the conditions imposed by the Criminal Courts and have scant respect to the Judiciary and rule of law and 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, Ariyankuppam Police Station, further submitted that if, you are allowed to reside in Ariyankuppam limits, it is apprehended that you would continue to indulge in serious offences like murder, hurt, assault, rioting, 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, Ariyankuppam 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 two months as to prevent danger to the human life and properties and disturbance to the public tranquility and order;

And whereas, summon was served for your appearance on 06-02-2020 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, hurt, assault, damages to public and private properties, 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, 1973, 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 the 06th day of February, 2020.

T. SUDHAKAR,
Subdivisional Magistrate (North).
