



புதுச்சேரி மாநில அரசிதழ்

La Gazette de L'État de Poudouchéry

The Gazette of Puducherry

PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

EXTRAORDINARY

அதிகாரம் பெற்ற
வெளியீடு

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No. } 28	Poudouchéry	Vendredi	18	Février	2022 (29 Magha 1943)
No. }	Puducherry	Friday	18th	February	2022

IN THE COURT OF SUBDIVISIONAL MAGISTRATE (NORTH) AT PUDUCHERRY

Present : Thiru M. KANDASAMY,
Subdivisional Magistrate (North).

M.C. No. 388/2021 of I.R. No. 80/2021 under section 144 of Cr.P.C./241

ORDER

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

State Represented by the Station House Officer,
Muthialpet Police Station, Puducherry.

.. Petitioner

Vs

Thiru Aravind @ Pipe Aravind (29),
S/o. Mohan,
No. 48, Palani Giramani Thottam, Vazhaikulam,
Muthialpet, Puducherry.

.. Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Muthialpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against the Counter Petitioner to prevent imminent danger to human lives and properties, and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Aravind @ Pipe Aravind (29), S/o. Mohan, a resident of No. 48, Palani Giramani Thottam, Vazhaikulam, Muthialpet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Muthialpet Police Station, through the Superintendent of Police (East), Puducherry *vide* I.R.No. 80/2021, under section 144 of Cr.P.C., dated 18-11-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as anti-social activities and thereby causes disturbance to the public tranquility and order. The Counter Petitioner has created panic in the minds of local inhabitants and the business people in the Muthialpet Police Station, Puducherry limits. It is also stated that he is leading lavish life with the money earned from the public and business people by threatening. As a result, the people of the locality, being afraid of the Counter Petitioner, do not come forward to lodge any complaint against him. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

Sl. No.	Crime No. and Section	Name of the Police Station	State of the case
(1)	(2)	(3)	(4)
1	253/08, under section 34 BB of PP Act, dated 06-11-2008.	Muthialpet	Conviction
2	02/09, under sections 324, 506(i) IPC r/w 34 IPC, dated 01-01-2009.	Muthialpet	Acquittal
3	185/09, under sections 294, 427, 506(ii) IPC r/w 34 IPC, dated 27-03-2009.	Grand Bazaar	Acquittal
4	297/09, under section 34 E(i) of PP Act, dated 06-09-2009.	Muthialpet	Conviction
5	238/10, under sections 147, 148, 307 IPC r/w 149 IPC, dated 08-11-2010.	Muthialpet	Acquittal
6	189/11, under sections 147, 148, 302, r/w 149 IPC, dated 21-08-2011.	Muthailpet	Acquittal
7	282/11, under sections 34 EI and 34 B IX of PP Act, dated 06-11-2011.	Muthialpet	conviction
8	311/11, under section 27 of Arms Act and 34 B-IX of PP Act, dated 07-12-2011.	Muthialpet	Acquitted
9	33/12, under sections 147, 427, 324, 506 (ii) IPC r/w 149 IPC, dated 06-02-2012.	Muthialpet	Acquittal
10	85/12, under section 27 of Arms Act and 34 B-IX of PP Act, dated 27-04-2013.	Muthialpet	Acquitted
11	I.R. No. 50/12, under section 151 @ 110 Cr.P.C., dated 06-06-2012.	Muthialpet	Closed
12	I.R. No. 65/12, under section 151 @ 110 Cr.P.C., dated 15-08-2012.	Muthialpet	Closed
13	199/12, under section 27 of Arms Act and 34 B-IX of PP Act.	Muthialpet	Acquitted
14	221/12, under section 34 B IX and 34 E1 of PP Act, 506 (ii) IPC r/w 34 IPC.	Muthialpet	Acquitted
15	41/13, under section 25 (1-A) of Arms Act, dated 18-03-2013.	Mudaliarpeta	Acquittal
16	125/13, under sections 399, 402 IPC, dated 30-08-2013.	Muthialpet	Acquitted
17	22/14, under sections 399, 402 IPC, dated 21-02-2014.	Muthialpet	Acquittal
18	I.R. No. 86/2014, under section 144 Cr.P.C., dated 18-06-2014.	Muthialpet	Closed
19	I.R. No. 31/2016, under section 151 @ 110 Cr.P.C., dated 05-06-2016.	Muthialpet	Closed
20	I.R. No. 129/2016, under section 110 Cr.P.C., dated 09-11-2016.	Muthialpet	Closed
21	I.R. No. 06/2018, under section 110 Cr.P.C., dated 21-02-2018.	Muthialpet	Closed

(1)	(2)	(3)	(4)
22	I.R. No. 17/2019, under section 110 Cr.P.C., dated 11-03-2019.	Muthialpet	Closed
23	I.R. No. 59/2019, under section 110 Cr.P.C., dated 07-10-2019.	Muthialpet	Closed
24	Cr. No. 95/2020, under sections 120(B), 147, 148, 341, 302, 109 IPC r/w 149 IPC, dated 07-09-2020.	Muthialpet	Pending Trial

4. It is also stated in the additional information filed by the Station House Officer, dated 23-12-2021 that the Counter Petitioner and his brother were roaming in the locality along with his associates and disturbing the business people and extorting money from them by threatening. Also, it is reported that the Counter Petitioner threatened the witnesses of one Ganesan murder case. It is further stated that the Counter Petitioner was recently released from the Central Prison, Kalapet in connection with detention under Goondas Act and his presence is likely to affect normalcy and public peace of the locality.

5. It is also stated in the I.R. that the Station House Officer has received reliable information that the Counter Petitioner is desperate and is in dire need of money to maintain his rowdy gang to meet out in case trials and daily expenses. The Petitioner further stated that the Counter Petitioner is not a law abiding person and therefore, his criminal activities cannot be prevented by invoking the mere security proceedings under the Cr.P.C.

6. The Petitioner further stated that if, the Counter Petitioner is allowed to reside in Muthialpet limits, it is apprehended that he would continue to indulge in serious offences like attempt to murder, hurt, damages, assault and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Muthialpet Police Station has prayed to invoke provisions under section 144 Cr.P.C. against the Counter Petitioner do 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.

7. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 08-12-2021 to appear for the hearing on 21-12-2021 and further hearings on 23-12-2021 and 30-12-2021. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Muthialpet Police Station, Puducherry. The notice for the Counter Petitioner was received by his mother, Tmt. Pazhaniyammal. The service was held sufficient for the Counter Petitioner.

8. On 30-12-2021, the Petitioner represented by Thiru. G. Kalaiarasan, Sub-Inspector of Police, Muthialpet Police Station, Puducherry and the Counter Petitioner were present. The learned Counsel, Thiru B. Narasimmabalan was present and represented on behalf of the Counter Petitioner.

9. I have heard both the sides and carefully gone through all the available records in file placed by the Petitioner. In the Police information report/Petition, it is stated that the activities of the Counter Petitioner is in such a manner that he may cause breach of peace and create a problem of law and order, and public tranquility. He has involved in various crimes such as assault, murder, disturbance to the public peace and order, *etc.* There are 24 criminal cases were registered against him in various Police Stations. I have also heard the oral submissions of the Counsel for the Counter Petitioner. The learned Counsel for Counter Petitioner has stated that the Petitioner has filed this false case with an ulterior motive.

10. Upon hearing both sides and on perusal of the records submitted by the Petitioner, I am of the opinion that if, the Counter Petitioner is allowed to reside within the limits of my jurisdiction, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, damages to properties, *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 the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order;

10. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of the powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Aravind @ Pipe Aravind (29), s/o. Mohan, a resident of No. 48, Palani Giramani Thottam, Vazhaikulam, Muthialpet, Puducherry, from entering into the region under the jurisdiction of the 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, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 30th day of December, 2021, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

Present : Thiru M. KANDASAMY,
Subdivisional Magistrate (North).

M.C. No. 389/2021 of I.R. No. 81/2021 under section 144 of Cr.P.C./240

ORDER

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

State Represented by the Station House Officer,
Muthialpet Police Station, Puducherry.

. Petitioner

Vs

Thiru Vengadesan (33),
S/o. Mohan,
No. 48, Palani Giramani Thottam, Vazhaikulam,
Muthialpet, Puducherry.

. Counter Petitioner

This petition along with case sheet is filed by Station House Officer, Muthialpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against the Counter Petitioner to prevent imminent danger to human lives and properties, and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Vengadesan (33), s/o. Mohan, a resident of No. 48, Palani Giramani Thottam, Vazhaikulam, Muthialpet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Muthialpet Police Station through the Superintendent of Police (East), Puducherry *vide* I.R.No. 81/2021, under section 144 of Cr.P.C., dated 18-11-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as anti-social activities and thereby causes disturbance to the public tranquility and order. The Counter Petitioner has created panic in the minds of local inhabitants and the business people in the Muthialpet Police Station, Puducherry limits. It is also stated that he is leading lavish life with the money earned from the public and business people by threatening. As a result, the people of the locality, being afraid of the Counter Petitioner, do not come forward to lodge any complaint against him. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

Sl. No.	Crime No. and Section	Name of the Police Station	State of the case
(1)	(2)	(3)	(4)
1	Cr. No. 113/2007, under sections 324, 506(ii) IPC r/w 34 IPC, dated 06-05-2007	Muthialpet	Acquitted
2	Cr. No. 177/2007, under sections 448, 427, 323, 506(ii) IPC r/w 34 IPC, dated 12-07-2007.	Muthialpet	Acquitted
3	Cr. No. 189/2007, under section 34 BB of PP Act, dated 27-07-2007	Muthialpet	Convicted
4	Cr. No. 48/08, under sections 341, 324, 307 IPC and 109 IPC r/w 34 IPC @ 341, 326, 307, 201 IPC and 109 IPC r/w 34 IPC, dated 24-03-2008.	Muthialpet	Acquitted
5	Cr. No. 185/09, under sections 294, 427, 506(ii) IPC r/w 34 IPC, dated 27-03-2009	Grand Bazaar	Acquitted
6	Cr. No. 02/2009, under sections 324, 506(i) IPC r/w 34 IPC, dated 01-01-2009	Muthialpet	Acquitted
7	Cr. No. 351/2009, under section 27 Arms Act and 34 B-IX of PP Act, dated 08-11-2009	Muthialpet	Acquitted
8	Cr. No. 33/2010, under section 27 Arms Act and 34 B-IX of PP Act, dated 12-02-2010.	Muthialpet	Acquitted
9	Cr. No. 156/2010, under section 302 IPC @ 147, 148, 302 IPC and 3 of Explosive Substances Act r/w 149 IPC, dated 09-07-2010.	Muthialpet	Pending Trial
10	Cr. No. 238/2010, under sections 147, 148, 307 IPC r/w 149 IPC, dated 08-11-2010	Muthialpet	Pending Trial
11	Cr. No. 113/2011, under section 188 IPC, dated 04-05-2011	Muthialpet	Acquitted
12	Cr. No. 189/11, under sections 147, 148, 302 r/w 149 IPC, dated 21-08-2011	Muthialpet	Pending Trial
13	Cr. No. 104/2012, under section 27 of Arms Act and 34 B IX of PP Act, dated 01-06-12.	Muthialpet	Acquitted
14	I.R. No. 62/12, under section 151 Cr.P.C. @ 110 Cr.P.C., dated 08-08-2012	Muthialpet	Closed
15	Cr. No. 222/12, under section 34 B IX and 34 E1 of PP Act, 506(ii) IPC r/w 34 IPC, dated 25-12-2012.	Muthialpet	Acquitted
16	I.R. No. 18/13, under section 151 Cr.P.C. @ 110 Cr.P.C., dated 12-08-2013	Muthialpet	Closed
17	I.R. No. 47/13, under section 144 Cr.P.C., dated 07-11-2013	Muthialpet	Closed
18	Cr. No. 02/14, under section 188 IPC and 27(1) of Arms Act 1959, dated 05-01-2014	Muthialpet	Acquitted
19	I.R. No. 30/2016, under section 151 @ 110 Cr.P.C., dated 04-06-2016	Muthialpet	Closed
20	I.R. No. 08/2018, under section 110 Cr.P.C., dated 26-02-2018	Muthialpet	Closed
21	I.R. No. 23/2019, under section 110 Cr.P.C., dated 13-03-2019	Muthialpet	Closed
22	I.R. No. 60/2019, under section 110 Cr.P.C., dated 07-10-2019	Muthialpet	Closed
23	Cr. No. 95/2020, under section 120(B), 147, 148, 341, 302, 109 IPC r/w 149 IPC, dated 07-09-2020.	Muthialpet	Pending Trial

4. It is also stated in the additional information filed by the Station House Officer, dated 23-12-2021, that the Counter Petitioner and his brother were roaming in the locality along with his associates and disturbing the business people and extorting money from them by threatening. Also, it is reported that the Counter Petitioner threatened the witnesses of one Ganesan murder case. It is further stated that the Counter Petitioner was recently released from the Central Prison, Kalapet in connection with detention under Goondas Act and his presence is likely to affect normalcy and public peace of the locality.

5. It is also stated in the I.R. that the Station House Officer has received reliable information that the Counter Petitioner is desperate and is in dire need of money to maintain his rowdy gang to meet out in case trials and daily expenses. The Petitioner further stated that the Counter Petitioner is not a law abiding person and therefore, his criminal activities cannot be prevented by invoking the mere security proceedings under the Cr.P.C.

6. The Petitioner further stated that if, the Counter Petitioner is allowed to reside in Muthialpet limits, it is apprehended that he would continue to indulge in serious offences like attempt to murder, hurt, damages, assault and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Muthialpet Police Station has prayed to invoke provisions under section 144 Cr.P.C. against the Counter Petitioner do 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.

7. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 08-12-2021 to appear for the hearing on 21-12-2021 and further hearings on 23-12-2021 and 30-12-2021. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Muthialpet Police Station, Puducherry. The notice for the Counter Petitioner was received by his mother, Tmt. Pazhaniyammal. The service was held sufficient for the Counter Petitioner.

8. On 30-12-2021, the Petitioner represented by Thiru G. Kalaiarasan, Sub-Inspector of Police, Muthialpet Police Station, Puducherry and the Counter Petitioner were present. The learned Counsel, Thiru B. Narasimmabalan was present and represented on behalf of the Counter Petitioner.

9. I have heard both the sides and carefully gone through all the available records in file placed by the Petitioner. In the Police information report/Petition, it is stated that the activities of the Counter Petitioner is in such a manner that he may cause breach of peace and create a problem of law and order and public tranquility. He has involved in various crimes such as assault, murder, disturbance to the public peace and order, *etc.* There are 23 criminal cases were registered against him in various Police Stations. I have also heard the oral submissions of the Counsel for the Counter Petitioner. The learned Counsel for Counter Petitioner has stated that the Petitioner has filed this false case with an ulterior motive.

10. Upon hearing both sides and on perusal of the records submitted by the Petitioner, I am of the opinion that if, the Counter Petitioner is allowed to reside within the limits of my jurisdiction, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, damages to properties, *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 the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

10. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of the powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Vengadesan (33), s/o. Mohan, a resident of No. 48, Palani Giramani Thottam, Vazhaikulam, Muthialpet, Puducherry, from entering into the region under the jurisdiction of the 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, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 30th day of December, 2021, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

Present : Thiru M. KANDASAMY,
Subdivisional Magistrate (North).

M.C. No. 390/2021, I.R.No. 102/2021 under section 144 of Cr.P.C./239

ORDER

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

State Represented by the Station House Officer,
Orleanpet Police Station,
Puducherry.

. Petitioner

Vs

Thiru Ponnusamy @ Nagaraj (24),
S/o. Ezhumalai,
No. 65, 4th Cross, Annai Indira Ninaivu Nagar,
Orleanpet, Puducherry.

. Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Orleanpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against the Counter Petitioner to prevent imminent danger to human lives and properties, and disturbance to the public tranquillity and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Ponnusamy @ Nagaraj (24), son of Ezhumalai, a resident of No. 65, 4th Cross, Annai Indira Ninaivu Nagar, Orleanpet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Orleanpet Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R. No. 102/2021 under section 144 of Cr.P.C., dated 29-10-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crimes such as murder, hurt, extortion and disturbance to the public tranquillity and order. The Counter Petitioner has created panic in the minds of local inhabitants and the business community in the city limit. It is also stated that he is leading lavish life with the money earned through extortion. As a result the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

Sl. No.	Crime No.	Section	Name of the Police Station
(1)	(2)	(3)	(4)
1	Cr. No. 145/2014	452, 427, 506(ii) r/w 34 IPC, dated 01-06-2014	Orleanpet
2	Cr. No. 88/2015	324, 323, 506(ii) r/w 34 IPC, dated 25-04-2015	Orleanpet
3	I.R. No. 59/2015	Under section 107 Cr.P.C	Orleanpet
4	Cr. No. 246/2015	Under sections 294 (b), 324, 323, 506(ii) IPC r/w 34 IPC, dated 22-10-2015	Orleanpet
5	Cr. No. 01/2019	Under section 34 B IX of PP Act, dated 02-01-2019	Orleanpet
6	Cr. No. 88/2019	Under section 307 IPC r/w 34 IPC, dated 03-07-2019	Orleanpet
7	Cr. No. 127/2021	Under section 294(b), 324, 506(ii) IPC r/w 34 IPC, dated 30-08-2021	Orleanpet

4. It is also stated in the I.R. that the Station House Officer has received reliable information that the Counter Petitioner violated the conditions imposed by the Criminal Courts while he was released on bail and he is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. The Counter Petitioner is hatching plans to threaten the business people in the Puducherry area and extort money from them by threatening. It is stated that the Counter Petitioner is a young and very active rowdy element and have become a source of terror among the public. And also, the Counter Petitioner earned displeasure among a section of other rowdy group in the area on account of the grudge against him and hence, rival group is also waiting opportunity to take revenge upon him.

5. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Orleanpet Police Station, Puducherry limits, it is apprehended that he would continue to indulge in serious offences like riot, affray, criminal intimidation, criminal trespass, assault, obstructions and annoyance, damages to the public and private properties, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Orleanpet Police Station, Puducherry has prayed to invoke provisions under section 144 Cr.P.C. against the Counter Petitioner do 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.

6. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 08-12-2021 to appear for the hearing on 28-12-2021. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Orleanpet Police Station, Puducherry. The notice was received by the Counter Petitioner.

7. On 28-12-2021, the Petitioner represented by Thiru Ramachandiran, Assistant Sub-Inspector, Orleanpet Police Station, Puducherry and the Counter Petitioner were present.

8. I have heard both the sides and carefully gone through all the available records in file placed by the Petitioner. In the Police Information Report/Petition, it is stated that the activities of the Counter Petitioner are in such a manner that he may cause breach of peace and create a problem of law and order, and public tranquility. He has involved in crimes such as unlawful activities and disturbance to the public peace and order. There are 7 criminal case was registered against him. I have also heard the oral submissions of the Counter Petitioner. The Counter Petitioner has stated that the Petitioner has filed this false case with an ulterior motive.

9. Upon hearing both sides and on perusal of the records submitted by the Petitioner, I am of the opinion that if, the Counter Petitioner is allowed to reside within the limits of my jurisdiction, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, 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 the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

10. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of the powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Ponnusamy @ Nagaraj (24), son of Ezhumalai, a resident of No. 65, 4th Cross, Annai Indira Ninaivu Nagar, Orleanpet, Puducherry, from entering into the region under the jurisdiction of the 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, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 28th day of December, 2021, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

Present : Thiru M. KANDASAMY,
Subdivisional Magistrate (North).

M.C. No. 391/2021, I.R.No. 108/2021 under section 144 of Cr.P.C./237

ORDER

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

State Represented by the Station House Officer,
Orleanpet Police Station,
Puducherry.

. Petitioner

Vs

Thiru Stephanraj (21),
S/o. Sagayaraj,
No. 10, 1st Cross, Karunagarapillai Street,
Kosapalayam, Puducherry.

. Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Orleanpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against the Counter Petitioner to prevent imminent danger to human lives and properties, and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Stephanraj (21), son of Sagayaraj, a resident of No. 10, 1st Cross, Karunagarapillai Street, Kosapalayam, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Orleanpet Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R. No. 108/2021 under section 144 of Cr.P.C., dated 02-11-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crimes such as attempt to murder, hurt, extortion and disturbance to the public tranquility and order. The Counter Petitioner has created panic in the minds of local inhabitants and the business community in the city limit. It is also stated that he is leading lavish life with the money earned through extortion. As a result, the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the case where he is the accused. In this connection, the Petitioner had stated that the following criminal case was registered against the Counter Petitioner.

1. Cr.No. 124/2019, under sections 148, 120 (b), 302 IPC r/w 149 IPC of Reddiyarpalayam Police Station, Puducherry – Pending Trial.

4. It is also stated in the I.R. that the Station House Officer has received reliable information that the Counter Petitioner violated the conditions imposed by the Criminal Courts while he was released on bail and he is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. The Counter Petitioner is hatching plans to threaten the business people in the Puducherry area and extort money from them by threatening. It is stated that the Counter Petitioner is a young and very active rowdy element and have become a source of terror among the public. And also, the Counter Petitioner earned displeasure among a section of other rowdy group in the area on account of the grudge against him and hence, rival group is also waiting opportunity to take revenge upon him.

5. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Orleanpet Police Station, Puducherry limits, it is apprehended that he would continue to indulge in serious offences like riot, affray, criminal intimidation, criminal trespass, assault, obstructions and annoyance, damages to the public and private properties, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Orleanpet Police Station, Puducherry has prayed to invoke provisions under

section 144 Cr.P.C. against the Counter Petitioner do 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.

6. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 08-12-2021 to appear for the hearing on 28-12-2021. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Orleanpet Police Station, Puducherry. The notice was received by the Counter Petitioner.

7. On 28-12-2021, the Petitioner represented by Thiru Ramachandiran, Assistant Sub-Inspector, Orleanpet Police Station, Puducherry and the Counter Petitioner were present.

8. I have heard both the sides and carefully gone through all the available records in file placed by the Petitioner. In the Police Information Report/Petition, it is stated that the activities of the Counter Petitioner are in such a manner that he may cause breach of peace and create a problem of law and order, and public tranquility. He has involved in crimes such as unlawful activities and disturbance to the public peace and order. There is one criminal case was registered against him in Reddiyarpalayam Police Station. I have also heard the oral submissions of the Counter Petitioner. The Counter Petitioner has stated that the Petitioner has filed this false case with an ulterior motive.

9. Upon hearing both sides and on perusal of the records submitted by the Petitioner, I am of the opinion that if, the Counter Petitioner is allowed to reside within the limits of my jurisdiction, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, 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 the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

10. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of the powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Stephanraj (21), son of Sagayaraj, a resident of No. 10, 1st Cross, Karunagarapillai Street, Kosapalayam, Puducherry, from entering into the region under the jurisdiction of the 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, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 28th day of December, 2021, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

Present : Thiru M. KANDASAMY,
Subdivisional Magistrate (North).

M.C. No. 392/2021, I.R.No. 109/2021 under section 144 of Cr.P.C./236

ORDER

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

State Represented by the Station House Officer,
Orleanpet Police Station,
Puducherry.

.. Petitioner

Vs

Thiru Bharathi @ Bharathikumar (19),
S/o. Mischeal,
No. 08, 8th Cross, Murugan Koil Backside,
Periyar Nagar, Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Orleanpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against the Counter Petitioner to prevent imminent danger to human lives and properties, and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Bharathi @ Bharathikumar (19), son of Mischeal, a resident of No. 08, 8th Cross, Murugan Koil Backside, Periyar Nagar, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Orleanpet Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R. No. 109/2021 under section 144 of Cr.P.C., dated 05-11-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crimes such as attempt to murder, hurt, extortion and disturbance to the public tranquillity and order. The Counter Petitioner has created panic in the minds of local inhabitants and the business community in the city limit. It is also stated that he is leading lavish life with the money earned through extortion. As a result, the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

1. Cr.No. 150/2020, under sections 294 (b), 324, 506 (ii) IPC r/w 34 IPC of Orleanpet Police Station, Puducherry – Pending Trial.
2. Cr.No. 167/2021, under section 3 (2) (a) of PD PP Act of Orleanpet Police Station, Puducherry – Pending Trial.
3. Cr.No. 185/2021, under section 34 D of PP Act of Orleanpet Police Station, Puducherry – Under Investigation.

4. It is also stated in the I.R. that the Station House Officer has received reliable information that the Counter Petitioner violated the conditions imposed by the Criminal Courts while he was released on bail and he is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. The Counter Petitioner is hatching plans to threaten the business people in the Puducherry area and extort money from them by threatening. It is stated that the Counter Petitioner is a young and very active rowdy element and have become a source of terror among the public. And also, the Counter Petitioner earned displeasure among a section of other rowdy group in the area on account of the grudge against him and hence, rival group is also waiting opportunity to take revenge upon him.

5. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Orleanpet Police Station, Puducherry limits, it is apprehended that he would continue to indulge in serious offences like riot, affray, criminal intimidation, criminal trespass, assault, obstructions and annoyance, damages to the public and private properties, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Orleanpet Police Station, Puducherry has prayed to invoke provisions under section 144 Cr.P.C. against the Counter Petitioner do 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.

6. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 08-12-2021 to appear for the hearing on 28-12-2021. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Orleanpet Police Station, Puducherry. The notice for the Counter Petitioner was received by his mother, Tmt. Rajaveni. The service was held sufficient for the Counter Petitioner.

7. On 28-12-2021, the Petitioner represented by Thiru Ramachandiran, Assistant Sub-Inspector, Orleanpet Police Station, Puducherry. The Counter Petitioner has failed to appear before the Court on hearing date.

8. I have heard the Petitioner and carefully gone through all the available records placed before me. In the Police Information Report/Petition, it is stated that the activities of the Counter Petitioner are in such a manner that he may cause breach of peace and create a problem of law and order, and public tranquility. He has involved in crimes such as unlawful activities and disturbance to the public peace and order. There are 3 criminal case were registered against him in Orleanpet Police Station

9. On perusal of the records submitted by the Petitioner and the recommendation of the Superintendent of Police (East), I am of the opinion that if, the Counter Petitioner is allowed to reside within the limits of my jurisdiction, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, 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 the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

10. Hence, I, M. Kandasamy, do hereby in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of the powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Bharathi @ Bharathikumar (19), son of Mischeal, a resident of No. 08, 8th Cross, Murugan Koil Backside, Periyar Nagar, Puducherry, from entering into the region under the jurisdiction of the 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, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 28th day of December, 2021, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

Present : Thiru M. KANDASAMY,
Subdivisional Magistrate (North).

M.C. No. 393/2021, I.R.No. 110/2021 under section 144 of Cr.P.C./238

ORDER

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

State Represented by the Station House Officer,
Orleanpet Police Station,
Puducherry.

. Petitioner

Vs

Thiru Manikandan (23),
S/o. Umapathy,
No. 33, 3rd Cross, Periyar Nagar,
Nellithope, Puducherry.

. Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Orleanpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against the Counter Petitioner to prevent imminent danger to human lives and properties, and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Manikandan (23), son of Umapathy, a resident of No. 33, 3rd Cross, Periyar Nagar, Nellithope, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Orleanpet Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R. No. 110/2021 under section 144 of Cr.P.C., dated 06-11-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crimes such as attempt to murder, hurt, extortion and disturbance to the public tranquillity and order. The Counter Petitioner has created panic in the minds of local inhabitants and the business community in the city limit. It is also stated that he is leading lavish life with the money earned through extortion. As a result, the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

1. Cr.No. 254/2020, under section 307 IPC r/w 34 IPC of Odiansalai Police Station, Puducherry – Pending Trial.
2. Cr.No. 167/2021, under section 3 (2) (a) of PD PP Act of Odiansalai Police Station, Puducherry – Under Investigation.
3. Cr.No. 184/2021, under sections 294 (b), 324, 506 (ii) IPC r/w 34 IPC of Odiansalai Police Station, Puducherry – Under Investigation.

4. It is also stated in the I.R. that the Station House Officer has received reliable information that the Counter Petitioner violated the conditions imposed by the Criminal Courts while he was released on bail and he is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. The Counter Petitioner is hatching plans to threaten the business people in the Puducherry area and extort money from them by threatening. It is stated that the Counter Petitioner is a young and very active rowdy element and have become a source of terror among the public. And also, the Counter Petitioner earned displeasure among a section of other rowdy group in the area on account of the grudge against him and hence, rival group is also waiting opportunity to take revenge upon him.

5. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Orleanpet Police Station, Puducherry limits, it is apprehended that he would continue to indulge in serious offences like riot, affray, criminal intimidation, criminal trespass, assault, obstructions and annoyance, damages to the public and private properties, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Orleanpet Police Station, Puducherry has prayed to invoke provisions under section 144 Cr.P.C. against the Counter Petitioner do 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.

6. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 08-12-2021 to appear for the hearing on 28-12-2021. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Orleanpet Police Station, Puducherry. The notice was received by the Counter Petitioner.

7. On 28-12-2021, the Petitioner represented by Thiru Ramachandiran, Assistant Sub-Inspector, Orleanpet Police Station, Puducherry and the Counter Petitioner were present.

8. I have heard both the sides and carefully gone through all the available records in file placed by the Petitioner. In the Police Information Report/Petition, it is stated that the activities of the Counter Petitioner are in such a manner that he may cause breach of peace and create a problem of law and order, and public tranquility. He has involved in crimes such as unlawful activities and disturbance to the public peace and order. There are 3 criminal cases were registered against him in various Police Stations. I have also heard the oral submissions of the Counter Petitioner. The Counter Petitioner has stated that the Petitioner has filed this false case with an ulterior motive.

9. Upon hearing both sides and on perusal of the records submitted by the Petitioner, I am of the opinion that if, the Counter Petitioner is allowed to reside within the limits of my jurisdiction, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, 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 the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

10. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of the powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Manikandan (23), son of Umopathy, a resident of No. 33, 3rd Cross, Periyar Nagar, Nellithope, Puducherry, from entering into the region under the jurisdiction of the 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, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 28th day of December, 2021, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

Present : Thiru M. KANDASAMY,
Subdivisional Magistrate (North).

M.C. No. 01/2022, I.R.No. 02/2022 under section 144 of Cr.P.C./234

ORDER

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

State Represented by the Station House Officer,
Orleanpet Police Station,
Puducherry.

. Petitioner

Vs

Thiru Sunil @ Kishorekumar (20),
S/o. Vengadesan @ Iyyappan,
No. 06, 3rd Cross, Ambedkar Nagar,
Attupatti, Puducherry.

. Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Orleanpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Sunil @ Kishorekumar (20) to prevent imminent danger to human lives and properties, and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Sunil @ Kishorekumar (20), son of Vengadesan @ Iyyappan, a resident of No. 06, 3rd Cross, Ambedkar Nagar, Attupatti, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Orleanpet Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R. No. 02/2022 under section 144 of Cr.P.C., dated 09-01-2022. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crimes such as hurt, body harm cases and disturbance to the public tranquility and order. As a result, the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

1. Cr. No. 124/2019, under sections 294(b), 324, 506(ii) IPC r/w 34 IPC, dated 10-09-2019 of Orleanpet Police Station, Puducherry – Pending Trial.
2. Cr. No. 202/2020, under sections 341, 302 IPC r/w 34 IPC @ 147, 148, 341, 302 IPC r/w 149 IPC, dated 04-10-2020 of Orleanpet Police Station, Puducherry – Pending Trial.
3. Cr.No. 41/2021, under sections 294(b), 506(ii), 116 IPC 27(1) of Arms Act r/w 34 IPC, dated 21-04-2021 – Under Investigation.
4. Cr.No. 153/2021, under sections 147, 148, 307 IPC and 3 of Explosive Substances Act, r/w 149 IPC, dated 04-07-2021 of Odiansalai Police Station, Puducherry – Under Investigation.
5. I.R. No. 46/2021, under section 107 Cr.P.C.

4. The Petitioner further stated that the Counter Petitioner is a dangerous person habitually involved in body offences by using deadly weapons for committing the crime and he is a notorious gangster and has a number of associates in and around of Puducherry region. The Counter Petitioner is having close contact with local rowdies and intentionally engaged persons by hiring them by providing liquors and insisting them to create problems with their opposite groups. But, the activities of the Counter Petitioner would provoke enmity between the groups as earlier.

5. It is also stated in the I.R. that the Station House Officer has received reliable information that the Counter Petitioner along with his friends under drunken mood and designed to commit some cognizable offence at Attupatti. On seeing the Police, the Counter Petitioner along with his colleagues was found escaped from the spot. On enquiry it revealed that the Counter Petitioner along with his friends were frequently visiting there under the influence of alcohol and threatening the general public. Also revealed that the Counter Petitioner is young and energetic and shows his muscle power by picking up quarrels with others for petty reasons. It is further stated in the I.R. that he is very active and may commit any cognizable offence in connection with the prevailing law and order situation in that area. He is bad character and he may disturb the public peace and tranquility, which may cause damages to the public and private properties in the Orleanpet Police Station, Puducherry limits.

6. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Orleanpet Police Station, Puducherry limits, it is apprehended that he would continue to indulge in serious offences like hurt, criminal intimidation, assault, obstructions and annoyance, damages to the private properties, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Orleanpet Police Station, Puducherry has prayed to invoke provisions under section 144 Cr.P.C. against the Counter Petitioner do 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.

7. The proceedings was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 10-01-2022 to appear for the hearing on 11-01-2022. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Orleanpet Police Station, Puducherry. The notice for the Counter Petitioner was received by his mother, Tmt. V. Geetha. The service was held sufficient for the Counter Petitioner.

8. On 11-01-2022, the Petitioner represented by Thiru Murugesan, Assistant Sub-Inspector, Orleanpet Police Station, Puducherry and the Counter Petitioner has failed to appear before the Court on hearing date.

9. I have heard the Petitioner and carefully gone through all the available records placed before me. In the Police Information Report/Petition, it is stated that the activities of Thiru Sunil @ Kishorekumar (20) is in such a manner that he may cause breach of peace and create a problem of law and order, and public tranquility. He has involved in crimes such as murder, explosive substances case, assault and disturbance to the public peace and order. There are 5 criminal cases were registered against him in various Police Stations.

10. On perusal of the records submitted by the Petitioner and the recommendation of the Superintendent of Police (East), I am of the opinion that if, the Counter Petitioner is allowed to reside within the limits of my jurisdiction, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, 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 the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

11. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of the powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Sunil @ Kishorekumar (20), son of Vengadesan @ Iyyappan, a resident of No. 06, 3rd Cross, Ambedkar Nagar, Attupatti, Puducherry, from entering into the region under the jurisdiction of the 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, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 11th day of January, 2022, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

Present : Thiru M. KANDASAMY,
Subdivisional Magistrate (North).

M.C. No. 02/2022, I.R.No. 03/2022 under section 144 of Cr.P.C./235

ORDER

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

State Represented by the Station House Officer,
Orleanpet Police Station,
Puducherry.

. Petitioner

Vs

Thiru Sathish @ Sathish Kumar (29),
S/o. Umapathy,
No. 87, Angunayakkar Thoppu,
Roadiarpet, Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Orleanpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Sathish @ Sathish Kumar (29) to prevent imminent danger to human lives and properties, and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Sathish @ Sathish Kumar (29), son of Umapathy, a resident of No. 87, Angunayakkar Thoppu, Roadiarpet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Orleanpet Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R. No. 03/2022 under section 144 of Cr.P.C., dated 09-01-2022. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crimes such as hurt, body harm cases and disturbance to the public tranquility and order. As a result, the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

1. Cr. No. 134/2016 , under sections 143, 341, 186 r/w 149 IPC, dated 06-06-2016 of Orleanpet Police Station, Puducherry – Pending Trial.
2. Cr. No. 159/2016 , under sections 294(b), 324, 506(ii) IPC r/w 34 IPC, dated 29-06-2016 of Orleanpet Police Station, Puducherry – Conviction.
3. Cr.No. 107/2019 , under sections 147, 148, 302 IPC and 3 of Explosive Substances Act r/w 149 IPC, dated 03-09-2019 of Mudaliarpot Police Station, Puducherry – Pending Trial.
4. I.R. No. 02/2021 , under sections 151 @ 107 Cr.P.C., dated 05-01-2021.

4. The Petitioner further stated that the Counter Petitioner is a dangerous person habitually involved in body offences by using deadly weapons for committing the crime and he is a notorious gangster and has a number of associates in and around of Puducherry region. The Counter Petitioner is having close contact with local rowdies and intentionally engaged persons by hiring them by providing liquors and insisting them to create problems with their opposite groups. But, the activities of the Counter Petitioner would provoke enmity between the groups as earlier.

5. It is also stated in the I.R. that the Station House Officer has received reliable information that the Counter Petitioner along with his friends under drunken mood and designed to commit some cognizable offence at Roadiarpet. On seeing the Police, the Counter Petitioner along with his colleagues was found escaped from the spot. On enquiry it revealed that the Counter Petitioner along with his friends were frequently visiting there under the influence of alcohol and threatening the general public. Also revealed that the Counter Petitioner is young and energetic and shows his muscle power by picking up quarrels with others for petty reasons. It is further stated in the I.R. that he is very active and may commit any cognizable offence in connection with the prevailing law and order situation in that area. He is bad character and he may disturb the public peace and tranquility, which may cause damages to the public and private properties in the Orleanpet Police Station, Puducherry limits.

6. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Orleanpet Police Station, Puducherry limits, it is apprehended that he would continue to indulge in serious offences like hurt, criminal intimidation, assault, obstructions and annoyance, damages to the private properties, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer,

Orleanpet Police Station, Puducherry has prayed to invoke provisions under section 144 Cr.P.C. against the Counter Petitioner do 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.

7. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 10-01-2022 to appear for the hearing on 11-01-2022. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Orleanpet Police Station, Puducherry. The notice for the Counter Petitioner was received by his mother. The service was held sufficient for the Counter Petitioner.

8. On 11-01-2022, the Petitioner represented by Thiru Murugesan, Assistant Sub-Inspector, Orleanpet Police Station, Puducherry and the Counter Petitioner has failed to appear before the Court on hearing date.

9. I have heard the Petitioner and carefully gone through all the available records placed before me. In the Police Information Report/Petition, it is stated that the activities of Thiru Sathish @ Sathish Kumar (29) is in such a manner that he may cause breach of peace and create a problem of law and order, and public tranquility. He has involved in crimes such as murder, explosive substances case, assault and disturbance to the public peace and order. There are 4 criminal cases were registered against him in various Police Stations.

10. On perusal of the records submitted by the Petitioner and the recommendation of the Superintendent of Police (East), I am of the opinion that if, the Counter Petitioner is allowed to reside within the limits of my jurisdiction, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, 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 the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

11. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of the powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Sathish @ Sathish Kumar (29), son of Umopathy, a resident of No. 87, Angunayakkar Thoppu, Roadiarpet, Puducherry, from entering into the region under the jurisdiction of the 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, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 11th day of January, 2022, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).