



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

எண் } No. } No. }	16	புதுச்சேரி Poudouchéry Puducherry	தங்கடகழமை Lundi Monday	2022 லு 24 24th	சனவரி மீ Janvier January	24 உ 2022 (4 Magha 1943) 2022
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IN THE COURT OF THE SUBDIVISIONAL MAGISTRATE (NORTH)
AT PUDUCHERRY

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

M.C. No. 340/2021 of I.R.No. 150/2021 under section 144 of Cr.P.C./3525

ORDER

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

State Represented by the Sub-Inspector of Police,
Mudaliarpet Police Station,
Puducherry.

. . Petitioner

Vs

Thiru Pugazh (21),
S/o. Ezhumalai,
No. 48, Velrampet,
Erikarai Street, Mudaliarpet,
Puducherry.

. . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, represented by Thiru C. Ilavarasan, Sub-Inspector of Police, Mudaliarpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against 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 Pugazh (21), son of Ezhumalai, a resident of No. 48, Velrampet, Erikarai Street, Mudaliarpet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Sub-Inspector of Police, Mudaliarpet Police Station, Puducherry, with the recommendation of Superintendent of Police (South), Puducherry *vide* I.R. No. 150/2021, under section 144 of Cr.P.C, dated 24-09-2021. Therein, it has been stated that the Counter Petitioner have involved in crime such as hurt and 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 city limits. It is also stated that he is leading lavish life with the money earned through extortion. The Petitioner has also submitted that the Counter Petitioner is a young and energetic rowdy element and shows his muscle power by committing offences for petty reasons. 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 as registered against the Counter Petitioner.

1. Cr.No. 125/2019 under sections 341, 294 (b), 506 (ii) IPC r/w 34 IPC, dated 03-10-2019 – Pending Trial.
2. Cr.No. 127/2019 under sections 294 (b), 324, 506 (ii) IPC r/w 34 IPC, dated 05-10-2019 – Pending Trial.
3. Cr.No. 11/2020 under sections 294 (b), 324, 506 (ii) IPC r/w 34 IPC, dated 17-01-2020 – Pending Trial.
4. Cr.No. 41/2020 under sections 294 (b), 324, 506 (ii) IPC, dated 26-02-2020 – Pending Trial.
5. Cr.No. 528/2020 under sections 34 B(IX) and 34 E(I) of PP Act, dated 13-12-2020 – Pending Trial.
6. Cr.No. 536/2020 under sections 143, 144, 294 (b), 324, 307 IPC r/w 149 IPC, dated 29-12-2020 – Pending Trial.
7. Cr.No. 189/2021 under sections 399, 402 IPC, dated 31-10-2021.

4. It is also stated in the I.R. that the Station House Officer has received reliable information that the Counter Petitioner is very active notorious rowdy element and has become a source of terror among the public. The Petitioner further stated that the Counter Petitioner was a habitual offender and involved in many hurt cases along with his associates. Further stated that he intentionally engaged persons by hire and insists them to create problems with their opposite groups and therefore, his criminal activities cannot be prevented by invoking the mere security proceedings under the Cr.P.C.

5. Hence, the Sub-Inspector of Police, Mudaliarpet Police Station has prayed to invoke provisions under 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 21-10-2021 to appear for the hearing on 09-11-2021, 02-12-2021 and 16-12-2021. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Mudaliarpet Police Station, Puducherry. The notice was received by the Counter Petitioner.

7. On 16-12-2021, the Station House Officer represented by Thiru C. Ilavarasan, Sub-Inspector of Police, Mudaliarpet 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 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 assault, unlawful activities and disturbance to the public peace and order. There are 7 criminal cases were registered against him in the Mudaliarpet Police Station.

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 assault, annoyance, damages to public 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 Pugazh (21), son of Ezhumalai, a resident of No. 48, Velrampet, Erikarai Street, Mudaliarpet, 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 16th day of December, 2021, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

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

M.C. No. 343/2021 of I.R.No. 159/2021 under section 144 of Cr.P.C./3524

ORDER

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

State Represented by the Sub-Inspector of Police,
Mudaliarpet Police Station,
Puducherry.

. . . Petitioner

Vs

Thiru Anand @ Bend Anand @ Anand Kumar (29),
S/o. Nangagopal,
No. 19, Cheran Street,
Puthu Nagar,
Nainarmandapam,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, represented by Thiru P. Anbazhagan, Sub-Inspector of Police, Mudaliarpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against 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 Anand @ Bend Anand @ Anand Kumar (29), son of Nangagopal, a resident of No. 19, Cheran Street, Puthu Nagar, Nainarmandapam, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Sub-Inspector of Police, Mudaliarpet Police Station, Puducherry, with the recommendation of Superintendent of Police (South), Puducherry, *vide* I.R. No. 159/2021, under section 144 of Cr.P.C, dated 29-09-2021. Therein, it has been stated that the Counter Petitioner have involved in crime such as hurt and 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 city limits. It is also stated that he is leading lavish life with the money earned through extortion. The Petitioner has also submitted that the Counter Petitioner is a young and energetic rowdy element and shows his muscle power by committing offences for petty reasons. 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 as registered against the Counter Petitioner.

1. Cr.No. 113/2021 under sections 294 (b), 341, 324, 427, 506 (ii) IPC r/w 34 IPC, dated 04-07-2021 of Mudaliarpet Police Station, Puducherry.

4. It is also stated in the I.R. that the Station House Officer has received reliable information that the Counter Petitioner is very active notorious rowdy element and has become a source of terror among the public. The Petitioner further stated that the Counter Petitioner was a habitual offender and involved in many hurt cases along with his associates. Further stated that he intentionally engaged persons by hire and insists them to create problems with their opposite groups and therefore, his criminal activities cannot be prevented by invoking the mere security proceedings under the Cr.P.C.

5. Hence, the Sub-Inspector of Police, Mudaliarpet Police Station has prayed to invoke provisions under 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 21-10-2021 to appear for the hearing on 09-11-2021, 02-12-2021 and 16-12-2021. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Mudaliarpet Police Station, Puducherry. The notice for the Counter Petitioner was received by his mother. The service was held sufficient for the Counter Petitioner.

7. On 16-12-2021, the Station House Officer represented by Thiru C. Ilavarasan, Sub-Inspector of Police, Mudaliarpet 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 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 assault, unlawful activities and disturbance to the public peace and order. There is one criminal cases were registered against him in the Mudaliarpet Police Station.

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 assault, annoyance, damages to public 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 Anand @ Bend Anand @ Anand Kumar (29), son of Nangagopal, a resident of No. 19, Cheran Street, Puthu Nagar, Nainarmandapam, 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 16th day of December, 2021, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

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

M.C. No. 350/2021, I.R.No. 122/2021 under section 144 of Cr.P.C./3514

ORDER

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

State Represented by the Sub-Inspector of Police,
Lawspet Police Station,
Puducherry.

. . . Petitioner

Vs

Thiru Nivash (25),
S/o. Yuvaraj,
No. 144, Edayanchavady Road,
Karuvadikuppam, Lawspet,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Sub-Inspector of Police, Lawspet Police Station, Puducherry, praying to pass order 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 Nivash (25), son of Yuvaraj a resident of No. 144, Edayanchavady Road, Karuvadikuppam, Lawspet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case referred by the Sub-Inspector of Police, Lawspet Police Station, Puducherry, with the recommendation of the Superintendent of Police (North), Puducherry *vide* I.R.No. 122/2021 under section 144 of Cr.P.C., dated 04-10-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as murder, attempt to murder, violence, intimidation, assault, 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 Lawspet Police Station limits, Puducherry. 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 as registered against the Counter Petitioner.

1. Cr.No. 88/2019, under sections 120(b), 148, 341, 324, 307, 302, 109 IPC r/w 149 IPC and 3 of Explosive Substances Act, 1908 of Muthialpet Police Station, Puducherry – Pending Trial.

4. It is further stated in the I.R. that the Counter Petitioner is having close contact with other rowdy elements, *viz.*, Chozhan @ Chozharajan, who is also a history sheet holder of Lawspet Police Station, Puducherry and hatching plans to indulge in unlawful activities in the Lawspet area and extort money by threatening. And also, he is a young and very active notorious rowdy element and therefore his criminal activities cannot be prevented by invoking the mere security proceedings under the Cr.P.C.

5. The Petitioner further submitted that if, Counter Petitioner is allowed to reside in Puducherry, it is apprehended that he would continue to indulge in serious offences like assault, explodes, country made bombs, criminal intimidation, 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, Lawspet Police Station, Puducherry, has prayed to invoke provisions under section 144 of 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 06-12-2021 to appear for the hearing on 14-12-2021 at 10.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Lawspet Police Station, Puducherry. The notice for the Counter Petitioner was received by his mother Tmt. Manju. The Service was held sufficient for the Counter Petitioner.

7. On 14-12-2021, the Station House Officer, represented by Thiru Kumar, Assistant Sub-Inspector of Police, Lawspet Police Station, Puducherry, was present. 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 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 and disturbance to the public peace and order. There is one criminal case was registered against him in Muthialpet Police Station.

9. On perusal of the records submitted by the Petitioner and the recommendation of the Superintendent of Police (North), 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, obstructions, annoyance, damages to public and private 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 Nivash (25), son of Yuvaraj a resident of No. 144, Edayanchavady Road, Karuvadikuppam, Lawspet, 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 14th day of December, 2021, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

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

M.C. No. 352/2021 of I.R. No. 63/2021 under section 144 of Cr.P.C./3519

ORDER

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

State Represented by the Sub-Inspector of Police,
Odiansalai Police Station,
Puducherry.

. . . Petitioner

Vs

Thiru Gowsiga Balasubramaniyan @ Gowsi (28),
S/o. Baskaran @ Kandasamy,
No. 19, Lazar Koil Street,
Deburayapet, Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by Sub-Inspector of Police, Thiru E. Egambaram, Odiansalai 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 Gowsiga Balasubramaniyan @ Gowski (28), s/o. Baskaran @ Kandasamy, a resident of No. 19, Lazar Koil Street, Deburayapet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Odiansalai Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R. No. 63/2021 under section 144 of Cr.P.C., dated 01-10-2021. Therein, it has been stated that the Counter Petitioner have indulging in crime such as hurt, unlawful activities, disturbance to the public tranquility and order. The Petitioner has also submitted that the Counter Petitioner is a young and energetic rowdy element and shows his muscle power by committing offences for petty reasons. He is very active and therefore his criminal activities cannot be prevented by invoking the mere security proceedings under the Cr.P.C. In this connection, the Petitioner had stated that the following criminal cases as registered against the Counter Petitioner.

Sl. No.	Crime No.	Section	Name of the Police station	Stage of the case
(1)	(2)	(3)	(4)	(5)
1	426/2009	323, 294, 506 (II) r/w 34 IPC @ 143, 324, 323, 294, 506 (II) r/w 149 IPC.	Odiansalai	Acquitted
2	193/2011	264, 506 (I) r/w 34 IPC	Odiansalai	Acquitted
3	396/2011	324, 506 (I) r/w 34 IPC @ 326, 323, 506 (I) r/w 34 IPC.	Odiansalai	Acquitted
4	18/2012	147, 148, 452, 427, 324, 506 (II), 109 r/w 149 IPC.	Odiansalai	Acquitted
5	82/2013	147, 148, 307, 109 r/w 149 IPC and 374 of Explosive substance Act.	Odiansalai	Pending Trial
6	13/2015	147, 148, 302, 307 IPC r/w 149 IPC	Odiansalai	Pending Trial
7	19/2017	144 Cr.PC	Odiansalai	Discharged
8	16/2019	144 Cr.PC	Odiansalai	Discharged
9	19/2017	144 Cr.PC	Odiansalai	Discharged
10	47/2018	144 Cr.PC	Odiansalai	Discharged
11	121/2019	107 Cr.PC	Odiansalai	Discharged
12	389/2020	Murder case, dated 07-10-2020	Ariankuppam	-

4. It is also stated in the additional report, dated 14-12-2021 that the Station House Officer has received reliable information that the Counter Petitioner involved in a sensational Depulan murder case and further the Counter Petitioner and his associates were designed to take revenge by killing of deceased Depulan family members/associates who lodged complaint against him and also designed to eliminate witnesses in the said case.

5. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in the village, it is apprehended that he would continue to indulge in serious offences like hurt, criminal intimidation, assault, obstructions and annoyance, danger to the human life and properties, and thereby emerged as a perennial source of threat to the community and disturb public peace and tranquility. Hence, the Station House Officer, Odiansalai Police Station, has prayed to invoke provisions under section 144 of 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 24-11-2021 to appear for the hearing on 30-11-2021 and further hearings on 07-12-2021 and 14-12-2021. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Odiansalai Police Station, Puducherry. The notice was received by the Counter Petitioner.

7. On 14-12-2021, the Station House Officer by Thiru B.M. Manoj, Inspector of Ploice, Odiansalai Police Station, Puducherry and the Counter Petitioner was 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 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 hurt and disturbance to the public peace and order. There are 12 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 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 Gowsiga Balasubramaniyan @ Gowski (28), s/o. Baskaran @ Kandasamy, a resident of No. 19, Lazar Koil Street, Deburayapet, 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 14th day of December, 2021, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

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

M.C. No. 354/2021 of I.R. No. 69/2021 under section 144 of Cr.P.C./3520

ORDER

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

State Represented by the Sub-Inspector of Police,
Odiansalai Police Station,
Puducherry.

. . . Petitioner

Vs

Thiru Soosai @ Soosairaj (32),
S/o. Joseph Philip,
No. 32, Ellaiyamman Koil Thoppu,
Vanarapet, Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by Sub-Inspector of Police, Thiru A. Thamizharasan, Odiansalai 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 Soosai @ Soosairaj (32), s/o. Joseph Philip, a resident of No. 32, Ellaiyamman Koil Thoppu, Vanarapet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Odiansalai Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R. No. 69/2021 under section 144 of Cr.P.C., dated 08-10-2021. Therein, it has been stated that the Counter Petitioner have indulging in crime such as unlawful activities, disturbance to the public tranquility and order. The Petitioner has also submitted that the Counter Petitioner is a young and energetic rowdy element and shows his muscle power by committing offences for petty reasons. He has violated the conditions imposed by the Court, while he was released on bail. He is very active and therefore his criminal activities cannot be prevented by invoking the mere security proceedings under the Cr.P.C., 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	Stage of the case
(1)	(2)	(3)	(4)	(5)
1	168/2007	341, 323 r/w 34 IPC	Odiansalai	Compounded
2	254/2007	147, 148, 336, 506 (ii) r/w 34 IPC	Odiansalai	Convicted
3	82/2008	326, 324, 506 (ii) r/w 34 IPC	Odiansalai	Acquitted
4	150/2008	147, 307 r/w 149 C and 3 of Explosive Substance Act r/w 149 IPC.	Odiansalai	Acquitted
5	77/2009	506 (ii) IPC and 27 of Arms Act	Odiansalai	Acquitted
6	311/2009	452, 427, 506 (ii) r/w 34 IPC	Odiansalai	Acquitted
7	140/2009	Man missing @ 302 r/w 149 IPC	Reddiarpalayam	Under Investigation
8	234/2011	147, 148, 302, 307, 452, 109 r/w 149 IPC.	Mudaliarpet	Pending Trial
9	01/2012	399, 402 IPC	–	Acquitted
10	61/2012	399, 402 IPC	–	Acquitted
11	248/2012	143, 506(2) r/w 149 IPC	Grand Bazar	Pending Trial
12	46/2019	144 Cr.PC	Odiansalai	Order obeyed
13	21/2017	144 Cr.PC	Odiansalai	Order obeyed
14	13/2018	144 Cr.PC	Odiansalai	Order obeyed
15	46/2019	144 Cr.PC	Odiansalai	Order obeyed

4. It is also stated in the additional report dated 07-12-2021 that the Station House Officer has received reliable information that the Counter Petitioner and his associates gathered at the burial ground, Deburayapet and sworn and took oath that they will take revenge by killing the persons responsible for the murder of Bomb Ravi @ Sathish whether they are in jail or outside.

5. It is also stated in the I.R. that the Station House Officer has received reliable information that 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.

6. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in the village, it is apprehended that he would continue to indulge in serious offences like riot, criminal intimidation, criminal trespass, affray, assault, obstructions and annoyance, danger to the human life and properties, and thereby emerged as a perennial source of threat to the community and disturb public peace and tranquility. Hence, the Station House Officer, Odiansalai Police Station, has prayed to invoke provisions under section 144 of 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 24-11-2021 to appear for the hearing on 30-11-2021 and further hearing on 07-12-2021. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Odiansalai Police Station, Puducherry. The notice for the Counter Petitioner was received by his brother, Thiru J. Lourdhusamy. The service was held sufficient for the Counter Petitioner.

8. On 07-12-2021, the Station House Officer by Thiru B.M. Manoj, Inspector of Poice, Odiansalai Police Station, Puducherry and the Counter Petitioner was present.

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 crimes such as unlawful activities and disturbance to the public peace and order. There are 15 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.

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 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 Soosai @ Soosairaj (32), s/o. Joseph Philip, a resident of No. 32, Ellaiyamman Koil Thoppu, Vanarapet, 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 7th day of December, 2021, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

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

M.C. No. 355/2021 of I.R. No. 56/2021 under section 144 of Cr.P.C./3517

ORDER

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

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

. . . Petitioner

Vs

Thiru Subash @ Suresh (26),
S/o. Periyasamy,
No. P2/61, Tsunami Quarters,
Periyakalpet, Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by Station House Officer, Thiru M. Murugan, Sub-Inspector of Police, Kalapet 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 Subash @ Suresh (26), s/o. Periyasamy @ Kandasamy, a resident of No. P2/61, Tsunami Quarters, Periyakalpet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case referred by the Station House Officer, Kalapet Police Station, through the Superintendent of Police (East), Puducherry *vide* I.R. No. 56/2021, under section 144 of Cr.P.C., dated 25-09-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as unlawful activities with his associates by using deadly weapons. It is also stated that the Counter Petitioner has created panic in the minds of local inhabitants and he is extorting money from the business people and the companies and also threatening local villagers with the help of local rowdies and his supporters. 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 to give evidence against him. 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	Stage of the case
(1)	(2)	(3)	(4)	(5)
1	61/14	380 IPC	Thavalakuppam	Conviction
2	62/14	457, 380 IPC	Thavalakuppam	Conviction
3	63/14	380 IPC	Thavalakuppam	Conviction

(1)	(2)	(3)	(4)	(5)
4	64/14	457, 380 IPC	Thavalakuppam	Conviction
5	65/14	380 IPC	Thavalakuppam	Conviction
6	66/14	380 IPC	Thavalakuppam	Conviction
7	67/14	41(i)(d), 102 Cr.P.C @ 379 IPC	Thavalakuppam	Conviction
8	104/15	379 IPC	Bahour	Pending Trial
9	15/18	379 IPC	Bahour	Under Investigation
10	125/18	379 IPC	Bahour	Under Investigation
11	128/18	379 IPC	Bahour	Under Investigation
12	154/18	380, 511 IPC	Bahour	Under Investigation
13	74/15	379 IPC	Kirumampakkam	Pending Trial
14	75/15	41(i)(d), 102 Cr.P.C @ 379 IPC	Kirumampakkam	Pending Trial
15	191/15	379 IPC	Grand Bazzar	Conviction
16	527/13	379 IPC	Kottakuppam Tamil Nadu	Conviction
17	103/09	457, 380 IPC	Auroville Tamil Nadu	Pending Trial
18	578/15	379 IPC	Auroville Tamil Nadu	Yet to taken on file
19	325/10	457, 511 IPC	Tindivanam Tamil Nadu	Conviction

4. The Petitioner further stated that the Counter Petitioner is not a law abiding person and he has often violated the conditions imposed by the Court while he was released on bail. The Petitioner also submitted that the Counter Petitioner was instigating young boys to involve in criminal activities and to create tension among the rival groups in Kalapet village and thereby caused breach of public peace and disturbance of public tranquility. He is very active and therefore his criminal activities cannot be prevented by invoking the mere security proceedings under the Cr.P.C.

5. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Puducherry region, it is apprehended that he would continue to indulge in serious offences like murder, assault, obstructions, annoyance, damages to 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, Kalapet Police Station, Puducherry, has prayed to invoke provisions under section 144 of Cr.P.C., against the Counter Petitioner, donot 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 24-11-2021 to appear for the hearing on 30-11-2021 and further hearing on 07-12-2021. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Kalapet Police Station, Puducherry. The notice for the Counter Petitioner was served by affixing it at his house in presence of one witness due to absence of the Counter Petitioner at his house. The Service was held sufficient for the Counter Petitioner.

7. On 07-12-2021, the Petitioner Thiru M. Murugan, Sub-Inspector of Ploice, Kalapet Police Station, Puducherry, was present. 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 Counter Petitioner activity 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 theft, unlawful activities, *etc.* There are 19 criminal cases were registered against him in various Police Stations.

9. 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, Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, obstructions, annoyance, damages to public and private 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 Subash @ Suresh (26), s/o. Periyasamy @ Kandasamy, a resident of No. P2/61, Tsunami Quarters, Periyakalpet, 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 7th day of December, 2021, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

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

M.C. No. 366/2021, I.R.No. 123/2021 under section 144 of Cr.P.C./3515

ORDER

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

State Represented by the Sub-Inspector of Police,
Lawspet Police Station,
Puducherry.

. . . Petitioner

Vs

Thiru Suriya (26),
S/o. Munusamy,
No. 54, Annie Besant Nagar,
Main Road, Navarkulam,
Lawspet, Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Sub-Inspector of Police, Lawspet Police Station, Puducherry, praying to pass order 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 Suriya (26), son of Munusamy a resident of No. 54, Annie Besant Nagar, Main Road, Navarkulam, Lawspet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case referred by the Sub-Inspector of Police, Lawspet Police Station, Puducherry, with the recommendation of the Superintendent of Police (North), Puducherry *vide* I.R.No. 123/2021 under section 144 of Cr.P.C., dated 06-10-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as murder, violence, intimidation, assault, 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 Lawspet Police Station limits, Puducherry. 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 was registered against the Counter Petitioner.

1. Cr.No. 88/2019, under sections 120(b), 148, 341, 324, 307, 302, 109 IPC r/w 149 IPC and 3 of Explosive Substances Act, 1908 of Muthialpet Police Station, Puducherry – Pending Trial.

4. It is further stated in the I.R. that the Counter Petitioner is having close contact with other rowdy elements, *viz.*, Chozhan @ Chozharajan, who is also a history sheet holder of Lawspet Police Station, Puducherry and hatching plans

to indulge in unlawful activities in the Lawspet area and extort money by threatening. And also, he is a young and very active notorious rowdy element and therefore, his criminal activities cannot be prevented by invoking the mere security proceedings under the Cr.P.C.

5. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Puducherry, it is apprehended that he would continue to indulge in serious offences like assault, explodes country made bombs, criminal intimidation, 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, Lawspet Police Station, Puducherry, has prayed to invoke provisions under section 144 of 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 06-12-2021 to appear for the hearing on 14-12-2021 at 10.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Lawspet Police Station, Puducherry. The notice for the Counter Petitioner was received by his father, Thiru Munusamy. The service was held sufficient for the Counter Petitioner.

7. On 14-12-2021, the Station House Officer, represented by Thiru Kumar, Assistant Sub-Inspector of Police, Lawspet Police Station, Puducherry, were present. 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 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 and disturbance to the public peace and order. There is one criminal case was registered against him in Muthialpet Police Station.

9. On perusal of the records submitted by the Petitioner and the recommendation of the Superintendent of Police (North), 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, obstructions, annoyance, damages to public and private 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 Suriya (26), son of Munusamy, a resident of No. 54, Annie Besant Nagar, Main Road, Navarkulam, Lawspet, 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 14th day of December, 2021, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

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

M.C. No. 367/2021, I.R.No. 126/2021 under section 144 of Cr.P.C./3516

ORDER

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

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

. . . Petitioner

Vs

Thiru Vicky @ Vigneshwaran (28),
S/o. Sellaveeran,
No. 21, Veterinary Hospital Street,
Karuvadikuppam, Lawspet,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Lawspet Police Station, Puducherry, praying to pass order 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 Vicky @ Vigneshwaran (28), son of Sellaveeran, a resident of No. 21, Veterinary Hospital Street, Karuvadikuppam, Lawspet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case referred by the Station House Officer, Lawspet Police Station, Puducherry, with the recommendation of the Superintendent of Police (North), Puducherry *vide* I.R.No. 126/2021 under section 144 of Cr.P.C., dated 09-10-2021 and additional report of the Station House Officer, Lawspet Police Station, Puducherry, dated 21-12-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies

and bent upon indulging in crime such as murder, attempt to murder, hurt, dacoity, Arms Act, NDPS cases, explosive case, violence, intimidation, assault, 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 Lawspet Police Station, limits Puducherry. 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. 04/2012, under section 324 IPC r/w 34 IPC of Lawspet Police Station, Puducherry – Acquitted.
2. Cr.No. 26/2012, under sections 394 IPC @ 397 IPC of Auroville Police Station, Tamil Nadu – Pending Trial.
3. Cr. No. 119/2012, under sections 147, 148, 452, 342, 307, 326, 324 IPC and 27 of Arms Act r/w 149 IPC of Lawspet Police Station, Puducherry – Acquitted.
4. Cr.No. 247/2012, under sections 147, 448, 294(b), 323, 307 IPC r/w 149 IPC of Kottakuppam Police Station, Puducherry – Pending Trial.
5. Cr.No. 381/2012, under sections 147, 148, 394 (b), 323, 324, 307 IPC r/w 149 IPC of Auroville Police Station, Tamil Nadu – Pending Trial.
6. Cr.No. 434/2014, under sections 147, 148,307, 302 IPC r/w 149 IPC and 212 (i) Explosive Act of Semanar Koil Police Station, Tamil Nadu – Acquitted.
7. Cr. No. 36/2019, Arms Act of Orleanpet Police Station, Puducherry – Pending Trial.
8. Cr. No. 81/2019 , under sections 27 of Arms Act 1957 and 34 B IX of PP Act of Lawspet Police Station, Puducherry – Pending Trial.
9. Cr. No. 108/2019, under sections 20(b)(ii)(A) r/w 8 (c) of NDPS Act, 1985 of Lawspet Police Station, Puducherry – Under Investigation.
10. Cr. No. 424/2019, under sections 294(b), 323 IPC of Kottakuppam Police Station, Tamil Nadu – Convicted.
11. Cr. No. 112/2020, under sections 294(b), 323, 324, 506(ii) IPC r/w 34 IPC of Lawspet Police Station, Puducherry – Under Investigation.
12. Cr. No. 490/2020, under sections 341, 302 r/w 34 IPC @ 148, 341, 302 r/w 149 IPC of Villianur 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 is hatching plans to indulge in unlawful activities in the Lawspet area and extort money by threatening. It is further stated that he is young and very active notorious rowdy element and therefore, his criminal activities cannot be prevented by invoking the mere security proceedings under the Cr.P.C.

5. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Lawspet limits, it is apprehended that he would continue to indulge in serious offences like assault, explodes country made bombs, criminal intimidation,

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, Lawspet Police Station has prayed to invoke provisions under section 144 Cr.P.C. against the Counter Petitioner to 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 06-12-2021 to appear for the hearing on 14-12-2021 and further hearing on 21-12-2021. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Lawspet Police Station, Puducherry. The notice was received by the Counter Petitioner.

7. On 21-12-2021, the Station House Officer, represented by Thiru Kumar, Assistant Sub-Inspector of Police, Lawspet Police Station, Puducherry, was present. 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 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, assault, unlawful activities and disturbance to the public peace and order. There are 12 criminal cases were registered against him in various Police Stations.

9. On perusal of the records submitted by the Petitioner and the recommendation of the Superintendent of Police (North), 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, obstructions, annoyance, damages to public and private 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 Vicky @ Vigneshwaran (28), son of Sellaveeran, a resident of No. 21, Veterinary Hospital Street, Karuvadikuppam, Lawspet, 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 21st day of December, 2021, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

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

M.C. No. 370/2021 of I.R. No. 76/2021 under section 144 of Cr.P.C./3518

ORDER

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

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

. . . Petitioner

Vs

Thiru Sugan @ Pradeep (28),
S/o. Periyasamy,
No. 62/P2, Tsunami Quarters,
Periyakalpet, Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by Station House Officer, Thiru M. Murugan, Sub-Inspector of Police, Kalapet 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 Sugan @ Pradeep (28), s/o. Periyasamy, a resident of No. 62/P2, Tsunami Quarters, Periyakalpet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case referred by the Station House Officer, Kalapet Police Station through the Superintendent of Police (East), Puducherry *vide* I.R. No. 76/2021, under section 144 of Cr.P.C, dated 22-11-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as murder, attempt murder, robbery, snatching, decoity and motor cycle theft cases. It is also stated that the Counter Petitioner is extorting money from the business people and the companies to maintain the mass group by way of threatening. 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	Stage of the case
(1)	(2)	(3)	(4)	(5)
1	45/13	41(2)(d) - 102 Cr.P.C.	Orleanpet	Pending Trial
2	38/13	356, 379 r/w 34 IPC @ 356, 379, 149 IPC.	Orleanpet	Acquitted
3	15/13	379 IPC	Mudaliarpet	Pending Trial
4	49/13	394 IPC	Lathery, Tamil Nadu.	Pending Trial
5	178/10	399, 402 IPC	Grand Bazaar	Pending Trial

(1)	(2)	(3)	(4)	(5)
6	102/11	41, 102 Cr.P.C. @ 379 r/w 34 IPC	Grand Bazaar	Acquitted
7	83/16	394 r/w 34 IPC	Mangalam	Pending Trial
8	204/16	3 of PDPP Act and 506(ii) r/w 34 IPC and 25 (1-B)(b) of Arms Act.	Villianur	Pending Trial
9	222/16	450, 307, 326 and 27(1) of Arms Act r/w 34 IPC	Villainur	Pending Trial
10	35/18	302, 307, 324, 109 IPC r/w 34 IPC @ 147, 148, 302, 307, 324, 109, 120(b), IPC r/w 149 IPC.	Villainur	Pending Trial
11	55/14	27(i)(a) of Arms Act, 1959 and 34 B IX of PP Act.	Kirumampakkam	Pending Trial
12	334/15	379 IPC	Kottakuppam, Tamil Nadu.	Convicted
13	681/15	379 IPC	Kottakuppam, Tamil Nadu.	Pending Trial
14	260/15	341, 294(b), 307 IPC @ 394 IPC	Kiliyanur, Tamil Nadu.	Pending Trial
15	785/17	294(b), 427, 307 IPC	Valavunur, Tamil Nadu.	Pending Trial
16	118/ 15	356, 379 r/w 34 IPC	Lawsplet	Under Investigation.
17	88/18	302 IPC	Thirukanur	Under Investigation
18	116/18	356, 379 IPC	Kirumampakkam	Pending Trial
19	94/19	147, 148, 120(b), 294(4), 324, 307 IPC r/w 3 of Explosive Act @ 302 IPC.	Vanur, Tamil Nadu.	Under Investigation
20	83/19	294(b), 324, 307, 506(i) IPC	Uthiramerur, Kanchipuram District, TN	Under Investigation
21	46/2019	120 (B), 302, 109 r/w 34 IPC and 3 of Explosive Act, 1908.	Kalapet	Pending Trial
22	88/2019	120(B), 148, 341, 324, 307, 302, 109 r/w 34 IPC and 3 of Explosive Act.	Muthialpet	Pending Trial
23	376/2020	364(A), 394 IPC	Grand Bazaar	Pending Trial
24	89/2021	294(b),353,506(i) IPC r/w 149 IPC	Kalapet	Charged

4. The Petitioner further stated that the Counter Petitioner is not a law abiding person and he has often violated the conditions imposed by the Court while he was released on bail. And also, the Counter Petitioner is ready to commit some

sensational offence against his opponents for showing his money and muscle power due to previous enmity. His violent activities creates tense situation in the Kalapet village and to create tension among the rival groups and thereby caused breach of public peace and disturbance of public tranquility. It is also stated that he is very active, dangerous, notorious element and therefore, his criminal activities cannot be prevented by invoking the mere security proceedings under the Cr.P.C.

5. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Puducherry region, it is apprehended that he would continue to indulge in serious offences like murder, assault, obstructions, annoyance, damages to 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, Kalapet Police Station has prayed to invoke provisions under section 144 Cr.P.C. against the Counter Petitioner 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 07-12-2021 to appear for the hearing on 09-12-2021. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Kalapet Police Station, Puducherry. The notice for the Counter Petitioner was received by his wife Tmt. P. Jayanthi. The service was held sufficient for the Counter Petitioner.

7. On 09-12-2021, the Petitioner Thiru M. Murugan, Sub-Inspector of Police, Kalapet Police Station, Puducherry, was present. 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 Counter Petitioner activity 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, grievous hurt, assault and disturb public peace and order. There are 24 criminal cases were registered against him in various Police Stations.

9. 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, Counter Petitioner will continue to indulge in and also motivate serious offences like murder, hurt, assault, obstructions, annoyance, damages to public and private 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 Sukan @ Pradeep (28), s/o. Periyasamy, a resident of No. 62/P2, Tsunami Quarters, Periyakalapet, 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 9th day of December, 2021, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

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

M.C. No. 378/2021 of I.R. No. 65/2021 under section 144 of Cr.P.C./3521

ORDER

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

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

. . . Petitioner

Vs

Thiru Selvamani,
S/o. Palanivel,
No. 41, Subramanian Koil Street,
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 Selvamani, s/o. Palanivel, a resident of No. 41, Subramanian Koil Street, 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. 65/2021, under section 144 of Cr.P.C., dated 29-09-2021. 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, disturbance to the public tranquility and order by showing deadly weapons. 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.	Section	Name of the Police Station
(1)	(2)	(3)	(4)
1	139/08	341, 394, r/w 34 IPC, dated 17-07-2008.	Thavalakuppam
2	186/09	452, 387, 427, 506 (ii) IPC r/w 34 IPC, dated 21-05-2009.	Muthialpet
3	294/09	147, 148, 324, 506(ii) IPC r/w 34 IPC and 27 of Arms Act, dated 02-09-2009.	Muthialpet
4	343/09	27 of Arms Act and 34 B-IX of PP Act, dated 26-10-2009.	Muthialpet
5	253 /10	341, 324, 323, 506(ii) IPC r/w 34 IPC, dated 29-11-2010.	Muthialpet
6	44/2011	151 Cr.P.C. @ 110 Cr.P.C.	Muthialpet
7	316/11	151 Cr.P.C. @ 110 Cr.P.C.	Muthialpet
8	154/12	27 of Arms Act and 34 B-IX of PP, dated 18-08-2012.	Muthialpet
9	I.R.No. 31/13	144 Cr.P.C., dated 18-09-2013	Muthialpet
10	I.R.No. 14/14	107 Cr.P.C, dated 28-02-2014	Muthialpet
11	46/15	294 (b), 323 r/w 34 IPC, dated 04-05-2015	Muthialpet
12	I.R.No. 30/19	110 Cr.P.C., dated 18-03-2019	Muthialpet
13	I.R.No. 56/19	110 Cr.P.C., dated 03-10-2019	Muthialpet
14	I.R.No. 03/20	144 Cr.P.C.	Muthialpet

4. 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.

5. 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 to 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 21-12-2021 at 10.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Muthialpet Police Station, Puducherry. The notice was received by the Counter Petitioner.

7. On 21-12-2021, the Petitioner represented by Thiru. N. Piara John, Sub-Inspector of Police, Muthialpet Police Station, Puducherry and the Counter Petitioner were present. The learned Counsel, Thiru R. Premkumar was present and represented on behalf of the Counter Petitioner.

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 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 assault, unlawful activities and disturbance to the public peace and order. There are 14 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.

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 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 Selvamani, s/o. Palanivel, a resident of No. 41, Subramanian Koil Street, 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 21st day of December, 2021, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

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

M.C. No. 386/2021 of I.R. No. 74/2021 under section 144 of Cr.P.C./3523

ORDER

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

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

. . . Petitioner

Vs

Thiru Gnanavel (33),
S/o. Munusamy,
No. 53, Maravady Street,
Kurusukuppam, 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 Thiru Gnanavel (33) 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 Gnanavel (33), s/o. Munusamy, a resident of No. 53, Maravady Street, Kurusukuppam, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case is submitted by the Station House Officer, Muthialpet Police Station through the Superintendent of Police (East), Puducherry *vide* I.R.No. 74/2021, under section 144 of Cr.P.C., dated 09-10-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as disturbance to the public tranquility and order by showing deadly weapons. The Counter Petitioner has created panic in the minds of local inhabitants and the business people in the Muthialpet Police Station, limits Puducherry. 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.

1. Cr.No. 03/2010, under sections 147, 148, 302 r/w 149 IPC, dated 07-01-2010 of Kirumampakkam Police Station, Puducherry.
2. Cr. No. 156/2010, under sections 302 IPC @ 147, 148, 302 IPC and 3 of Explosive Substances Act r/w 149 IPC, dated 09-07-2010 of Muthialpet Police Station, Puducherry.
3. Cr.No. 238/2010, under sections 147, 148, 307 IPC r/w 149 IPC, dated 08-11-2010 of Muthialpet Police Station, Puducherry.
4. Cr.No. 189/2011, under sections 147, 148, 302, 109 r/w 149 IPC, dated 21-08-2011 of Muthialpet Police Station, Puducherry.

5. Cr.No. 320/2011, under sections 27 of Arms Act and 34 B-IX of PP Act, dated 10-12-2011 of Muthialpet Police Station, Puducherry.
6. Cr.No. 33/2012, under sections 147, 427, 324, 506(ii) IPC r/w 149 IPC.
7. Cr.No. 143/2012, under sections 452, 427, 506(ii) IPC r/w 34 IPC, dated 26-07-2012.
8. Cr.No. 91/2012, under sections 147, 148, 341, 332, 333, 302, 307, 109 IPC, 3 of PDPP Act and 3 of Explosive Substances Act, 1908 r/w 149 IPC, dated 10-08-2012.
9. Cr.No. 78/ 2015, under sections 294(b), 323, 324, 427, 506(ii) r/w 34 IPC, dated 09-08-2015.
10. Cr.No. 2/2016, under sections 294(b), 509, 506(ii) IPC r/w 34 IPC, dated 06-01-2016 of Muthialpet Police Station, Puducherry.
11. Cr.No. 5/2016, under sections 294(b), 506(ii) r/w 34 IPC, dated 07-01-2016 of Muthialpet Police Station, Puducherry.
12. Cr.No. 132/2017, under sections 294(b), 323, 324, 506(ii) IPC r/w 34 IPC, dated 25-11-2017 of Muthialpet Police Station, Puducherry.
13. Cr. No. 94/2019, under sections 120 (b), 147, 148, 302 IPC r/w 149 IPC of Muthialpet Police Station, Puducherry.

4. 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.

5. 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 to 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 15-12-2021 at 10.00 a.m. 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 wife Tmt. G. Manju. The service was held sufficient for the Counter Petitioner.

7. On 15-12-2021, the Petitioner Thiru G. Kalaiarasan, Sub-Inspector of Police, Muthialpet 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 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, assault, unlawful activities and disturbance to the public peace and order. There are 13 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 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 Gnanavel (33), s/o. Munusamy, a resident of No. 53, Maravady Street, Kurusukuppam, 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 15th day of December, 2021, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

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

M.C. No. 387/2021 of I.R. No. 75/2021 under section 144 of Cr.P.C./3522

ORDER

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

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

. . . Petitioner

Vs

Thiru Gnanasegar (31),
S/o. Munusamy,
No. 53, Maravady Street,
Kurusukuppam, 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 Thiru Gnanasegar (31) 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 Gnanasegar (31), s/o. Munusamy, a resident of No. 53, Maravady Street, Kurusukuppam, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case is submitted by the Station House Officer, Muthialpet Police Station through the Superintendent of Police (East), Puducherry *vide* I.R.No. 75/2021, under section 144 of Cr.P.C., dated 10-10-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as disturbance to the public tranquility and order by showing deadly weapons. The Counter Petitioner has created panic in the minds of local inhabitants and the business people in the Muthialpet Police Station limits, Puducherry. 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.

1. Cr. No. 33/12, under sections 147, 427, 324, 506(ii) r/w 149 IPC, dated 06-02-2012 of Muthialpet Police Station, Puducherry.
2. Cr. No. 78/15, under sections 294 (b), 323, 324, 427, 506(ii) IPC r/w 34 IPC, dated 09-08-2015 of Muthialpet Police Station, Puducherry.
3. Cr. No. 40/16, under sections 143, 341 IPC r/w 149 IPC, dated 05-05-2016 of Muthialpet Police Station, Puducherry.
4. Cr. No. 44/16, under sections 341, 294(b), 323, 506(i) IPC r/w 34 IPC, dated 12-05-2016 of Muthialpet Police Station, Puducherry.
5. Cr. No. 107/17, under sections 147, 148, 307 IPC r/w 149 IPC of Muthialpet Police Station, Puducherry.
6. Cr. No. 132/2017, under sections 294(b), 323, 324, 506(ii) IPC r/w 34 IPC, dated 25-11-2017 of Muthialpet Police Station, Puducherry.
7. Cr. No. 37/2018, under sections 147, 148, 302 IPC r/w 149 IPC, dated 06-03-2018 of Grand Bazaar Police Station, Puducherry.
8. Cr. No. 94/2019, under sections 120(B), 148, 341, 302, 109 r/w 149 IPC, dated 08-12-2019 of Muthialpet Police Station, Puducherry.

4. 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.

5. 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 to 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 15-12-2021 at 10.00 a.m. 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 wife Tmt. Subitha. The service was held sufficient for the Counter Petitioner.

7. On 15-12-2021, the Petitioner Thiru G. Kalaiarasan, Sub-Inspector of Police, Muthialpet 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 Thiru Gnanasegar 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, assault, unlawful activities and disturbance to the public peace and order. There are 8 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 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 Gnanasegar (31), s/o. Munusamy, a resident of No. 53, Maravady Street, Kurusukuppam, 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 15th day of December, 2021, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).
