



புதுச்சேரி மாநில அரசிதழ்

La Gazette de L'État de Poudouchéry

The Gazette of Puducherry

PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

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அதிகாரம் பெற்ற
வெளியீடு

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No.		Poudouchéry	Vendredi	3	Jun	2022 (13 Jyaistha 1944)
No.		Puducherry	Friday	3rd	June	2022

IN THE COURT OF SUBDIVISIONAL MAGISTRATE (NORTH)
AT PUDUCHERRY

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

M.C. No. 83/2022, I.R.No. 29/2022 under section 144 of Cr.P.C./1468

ORDER

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

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

.. Petitioner

Vs

Thiru Vinoth @ Mananna Vinoth (23),
S/o. Veerappan,
No. 55, Oothukattu Mariamman Koil Street,
Chellaperumalpet, 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 orders under section 144 of Cr.P.C., against Thiru Vinoth @ Mananna Vinoth, 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 Vinoth @ Mananna Vinoth (23), son of Veerappan, a resident of No. 55, Oothukattu Mariamman Koil Street, Chellaperumalpet, Lawspet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case was 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. 29/2022 under section 144 of Cr.P.C., dated 21-04-2022. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crimes such as murder, hurt, Arms Act, dacoity, 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. 18/2015 under sections 399, 402 IPC of Lawspet Police Station, Puducherry – Pending Trial.
2. Cr.No. 156/2015 under sections 147, 148, 341, 449, 302 IPC r/w 149 IPC of Villianur Police Station, Puducherry – Pending Trial.
3. Cr.No. 104/2019 under sections Explosives Substances Act, 1908 r/w 34 IPC @ 147, 148, 436, 307 IPC r/w 149 IPC & 3, 5 of Explosive Substances Act, 1908 – Under Investigation.
4. Cr.No. 08/2022 under sections 144 IPC & 25(1)(A) of Arms Act, 1959, 4(b) of Explosive Substances Act, 1908 r/w 120(B)(1) IPC, dated 21-01-2022 of Lawspet Police Station, Puducherry.

4. It is also stated in the I.R that the Petitioner has received reliable information that the Counter Petitioner are hatching plans to indulge in unlawful activities in the Lawspet limits and extort money by threatening. It is further stated in the I.R that the Counter Petitioner is a young and very active notorious rowdy elements and have become a threat and menace to the innocent people 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 17-05-2022 to appear for the hearing on 31-05-2022 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 brother, Thiru V. Balachandar. The service was held sufficient for the Counter Petitioner.

7. On 31-05-2022, the Station House Officer, represented by Thiru V. Ezhumalai, Assistant Sub-Inspector, 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 Thiru Vinoth @ Mananna Vinoth (23), 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 4 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 powers conferred under the section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Vinoth @ Mananna Vinoth (23), son of Veerappan, a resident of No. 55, Oothukattu Mariamman Koil Street, Chellaperumalpet, 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 31st day of May, 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. 84/2022, I.R.No. 30/2022 under section 144 of Cr.P.C./1469

ORDER

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

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

. . . Petitioner

Vs

Thiru Karthick @ Baba Karthick @ Karthikeyan (29),
S/o. Malayalathan,
No. 23, Gangaianman Koil Street,
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 orders under section 144 of Cr.P.C., against Thiru Karthick @ Baba Karthick @ Karthikeyan 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 Karthick @ Baba Karthick @ Karthikeyan(29), son of Malayalathan, a resident of No. 23, Gangaianman Koil Street, 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 commendation of the Superintendent of Police (North), Puducherry *vide* I.R.No. 30/2022 under section 144 of Cr.P.C., dated 30-04-2022. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as murder, hurt, 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. 14/2012 under sections 448, 427, 324, 506(II) IPC r/w 34 IPC of Lawspet Police Station, Puducherry – Pending Trial.
2. Cr.No. 34/2012 under sections 147, 148, 341, 307, 427, 109 IPC r/w 149 IPC of Lawspet Police Station, Puducherry – Pending Trial.
3. Cr.No. 104/2012 under sections 27 Arms Act 1959 & 34 BIX of PP Act – Pending Trial.
4. Cr.No. 170/2013 under section 34 BB of PP Act of Lawspet Police Station, Puducherry – Conviction.

5. Cr.No. 22/2014 under section 34 BB of PP Act of Lawspet, Police Station, Puducherry – Conviction.
6. Cr.No. 105/2017 under sections 324, 506(ii) IPC of Lawspet Police Station, Puducherry – Pending Trial.
7. Cr.No. 274/2017 under section 302 IPC r/w 34 IPC of Auroville Police Station, Tamil Nadu – Pending Trial.
8. Cr.No. 50/2019 under section 120(B) r/w 302,144 IPC r/w 149 IPC & 27(1) of Arms Act & 3 of Explosive Substances Act of Bahour Police Station, Puducherry – Pending Trial.
9. Cr.No. 98/2019 under sections 294(b), 323, 506(ii) IPC r/w 34 IPC of Lawspet Police Station, Puducherry – Pending Trial.
10. Cr.No. 184/2020 under sections 294(b), 324 IPC of Lawspet Police Station, Puducherry – Under Investigation.
11. Cr.No. 44/2022 under sections 435, 506(ii) r/w 34 IPC of Lawspet Police Station, Puducherry – Under Investigation.
12. Cr.No. 65/2022 under sections 448, 294(b), 354(B), 506(ii) IPC r/w 34 of Lawspet 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 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, 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 17-05-2022 to appear for the hearing on 31-05-2022 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 wife, Tmt. K. Sivasankari. The service was held sufficient for the Counter Petitioner.

7. On 31-05-2022, the Station House Officer, represented by Thiru V. Ezhumalai, Assistant Sub-Inspector, 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 Thiru Karthick @ Baba Karthik @ Karthikeyan (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, 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 powers conferred under the section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Karthick @ Baba Karthik @ Karthikeyan (29), son of Malayalathan, a resident of No. 23, Gangaianman Koil 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 31st day of May, 2022, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).
