



புதுச்சேரி மாநில அரசிதழ்

La Gazette de L'État de Poudouchéry

The Gazette of Puducherry

PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

EXTRAORDINARY

அதிகாரம் பெற்ற
வெளியீடு

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

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

M.C. No. 109/2022, I.R.No. 22/2022 under section 144 of Cr.P.C./2150

ORDER

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

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

.. Petitioner

Vs

Thiru Nandhakumar @ Nandu (22),
S/o. Rajinikanth,
No. 02, Ist Cross,
Manicka Chettiar Nagar,
Shanmugapuram,
Puducherry.

.. Counter-
Petitioner

This petition along with case sheet is filed by the Station House Officer, Mettupalayam Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Nandhakumar @ Nandu, 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 Nandhakumar @ Nandu (22), S/o. Rajinikanth, a resident of No. 02, Ist Cross, Manicka Chettiar Nagar, Shanmugapuram, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case is submitted by the Station House Officer, Mettupalayam Police Station, with the recommendation of the Superintendent of Police (North), Puducherry *vide* I.R.No. 22/2022 under section 144 of Cr.P.C., dated 08-06-2022. Therein it has been stated that the Counter Petitioner have indulging in crimes such as murder, intimidation, rioting and disturbance to the public tranquility and order. It is also stated that the Counter Petitioner has created panic in the minds of local inhabitants and he is leading lavish life with the money earned through extortion. As a result the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

1. Cr.No.167/2020 under section 302 IPC r/w 34 IPC, dated 15-11-2020 of Mettupalayam Police Station – Pending Trial.
2. Cr.No. 04/2020 under section 25 (1-a) of Arms Act, 1959, dated 13-01-2020 of Mettupalayam Police Station – Pending Trial.
3. Cr.No. 84/2017 under sections 147, 148, 342, 302, 307 IPC r/w 149 IPC, 3 and 4 of Explosives substances Act, 1908 @ 148, 109,120-B, 144, 114, 342, 302, 307, 326, 324 IPC r/w 149 IPC, 3 and 4 of Explosives substances Act, 1908, dated 19-10-2017 of Mettupalayam Police Station – Pending Trial.

4. The Petitioner further submitted that the Counter Petitioner is a notorious rowdy element and become a source of terror among the public. The Counter Petitioner collects mamool through his associates from the business people at Mettupalayam areas and also planned to attack his rival parties. It is also stated that he has involved in various offences by using aruval, knife to attack the victims and he violated the conditions imposed by the Criminal Courts and have scant respect to the judiciary and rule of law.

5. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Puducherry North limits, it is apprehended that he would continue to indulge in serious offences like murder, extortion, 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, Mettupalayam 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 of citizens and uphold public peace 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 10-06-2022 to appear for the hearing on 21-06-2022 at 10.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Mettupalayam Police Station, Puducherry. The notice for the Counter Petitioner was received by his father, Thiru Rajinikanth. The service was held sufficient for the Counter Petitioner.

7. On 21-06-2022, the petitioner represented by Thiru Arul, Assistant Sub-Inspector, Mettupalayam Police Station, 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 Nandhakumar @ Nandu, 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 3 criminal cases were registered against him in Mettupalayam 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, assault, extortion, 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. 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 section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Nandhakumar @ Nandu, (22), S/o. Rajinikanth, a resident of No. 02, Ist Cross, Manicka Chettiar Nagar, Shanmugapuram, 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 June, 2022 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. 122/2022, I.R.No. 41/2022 under section 144 of Cr.P.C./2149

ORDER

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

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

. . . Petitioner

Vs

Thiru Prasanth @ Military (26),
S/o. Kumar,
No. 19, Ponniamman Koil Theru,
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 Prasanth @ Military (26), 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 Prasanth @ Military (26), S/o. Kumar, a resident of No. 19, Ponniamman 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 recommendation of the Superintendent of Police (North), Puducherry *vide* I.R.No. 41/2022 under section 144 of Cr.P.C., dated 27-05-2022. Therein it has been stated that the Counter Petitioner have formed a gang of rowdies and bent upon indulging in crime such as murder, robbery, 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. 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.116/2015 under section 147, 148, 341, 449, 302 IPC r/w 149 IPC of Lawspet Police Station, Puducherry – Pending Trial.

2. Cr. No. 186/2021 under section 294(b), 353, 332 IPC r/w 34 IPC of Lawspet Police Station, Puducherry – Under Investigation.

4. It is also stated in the I.R that the Counter Petitioner is young and very active notorious rowdy element and therefore, his criminal activities cannot be prevented by invoking the mere security proceedings under section 144 of 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 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 10-06-2022 to appear for the hearing on 05-07-2022 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 sister, Tmt. K. Prema. The service was held sufficient for the Counter Petitioner.

7. On 05-07-2022, the Petitioner 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 Prasanth @ Military (26), 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 2 criminal cases were registered against him in Lawspet 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, 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 section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Prasanth @ Military (26), S/o. Kumar, a resident of No. 19, Ponniamman 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 5th day of July, 2022 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

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

M.C. No. 124/2022, I.R.No. 44/2022 under section 144 of Cr.P.C./2148

ORDER

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

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

. . . Petitioner

Vs

Thiru Sanjay (27),
S/o. Palanivelu,
No. 22, Anaikaraimedu,
Samipillaithottam, 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 Sanjay (27), 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 Sanjay (27), S/o. Palanivelu, a resident of No. 22, Anaikaraimedu, Samipillaithottam, 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. 44/2022 under section 144 of Cr.P.C., dated 31-05-2022. Therein it has been stated that the Counter Petitioner have formed a gang of rowdies and bent upon indulging in crime such as murder, robbery, 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. 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 case was registered against the Counter Petitioner.

1. Cr.No.57/2020 under section 120(b), 147, 148, 201, 302, 307, 324, 341, 364 IPC & 3(2)(va) SC/ST Act of Kottakuppam Police Station, Tamil Nadu.

4. It is also stated in the I.R that the Counter Petitioner 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 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, 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 10-06-2022 to appear for the hearing on 05-07-2022 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 mother, Tmt. P. Saraswathy. The service was held sufficient for the Counter Petitioner.

7. On 05-07-2022 the Petitioner 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 Sanjay (27), 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 is one criminal case was registered against him in Kottakuppam Police Station, Tamil Nadu.

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 section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Sanjay (27), S/o. Palanivelu, a resident of

No. 22, Anaikaraimedu, Samipillaithottam, 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 5th day of July, 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. 140/2022, I.R.No. 11/2022 under section 144 of Cr.P.C./2141

ORDER

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

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

.. Petitioner

Vs

Thiru Baskar (24),
S/o. Parthasarathy,
Shanmuganagar,
Ariyankuppam,
Puducherry.

.. Counter-
Petitioner.

This petition along with case sheet is filed by Station House Officer, Ariyankuppam Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Baskar (24), 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 Baskar (24), S/o. Parthasarathy, a resident of Shanmuga Nagar, Ariyankuppam, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Ariyankuppam Police Station, through the Superintendent of Police (South), Puducherry *vide* I.R.No.11/2022, under section 144 of Cr.P.C., dated 08-06-2022. Therein it has been stated that the Counter Petitioner have formed a gang of rowdies and bent upon indulging in crime such as murder, attempt to murder, dacoity, robbery, hurt, riot, explosive cases. The Counter Petitioner has created panic in the minds of local inhabitants. It is also stated that he is extorting money from the local merchants and is leading

lavish life with the money earned through extortion. As a result the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

1. Cr. No. 31/2012 under section 397 IPC, dated 19-01-2012 of Aurovillie Police Station, Tamil Nadu, dated 19-01-2012 – Pending Trial.
2. Cr.No.13/2012 under sections 392, 427 IPC r/w 34 IPC @ 395, 427 IPC r/w 109 IPC, dated 29-01-2012 of Thirubuvanai Police Station, Puducherry – Convicted.
3. Cr No. 91/2013 under sections 341, 324, 506 (ii) IPC r/w 34 IPC of Ariyankuppam Police Station, Puducherry, dated 28-06-2013 – Acquitted.
4. Cr. No. 406/2016 under sections 147, 148, 302, 324, 120-B IPC r/w 149 IPC and 25 (i-a), 27(i) of Arms Act and 3, 5, 6 Explosive Substances Act, 1908 of Villupuram Town Police Station, Tamil Nadu, dated 04-10-2016 – Acquitted.
5. Cr. No 62/2016 under sections 324, 506 (II) IPC r/w 34 IPC @ 392 r/w 34 IPC, dated 22-05-2017 of Lawspet Police Station, Puducherry – Pending Trial.
6. Cr. No 78/2017 under sections 399,402, IPC and 27 of Arms Act, dated 24-09-2017 of Mettupalayam Police Station, Puducherry – Pending Trial.
7. Cr.No.84/2017 under sections 147, 148, 342, 302, 307 IPC r/w 149 IPC @ 148, 109, 120-B, 144, 114, 342, 302, 307, 326, 324 IPC r/w 149 IPC 3 and 4 of Explosive Substances Act, 1908, dated 19-10-2017 of Mettupalayam Police Station, Puducherry – Acquitted.

4. The Petitioner further submitted that the Counter Petitioner is a notorious rowdy element and become a source of terror among the public. It is also stated that he has involved in various offences by using aruval, knife and explosive substances to attack the victims.

5. It is also stated in the I.R that the Station House Officer have received reliable information that he is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. The Counter Petitioner are hatching plans to threaten the business people in the Puducherry urban and rural areas and extort money from them by threatening and he violated the conditions imposed by the Criminal Courts and have scant respect to the judiciary and rule of law. The Petitioner also stated 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, Counter Petitioner is allowed to reside in Ariyankuppam limits, it is apprehended that he would continue to

indulge in serious offences like murder, extortion, damages to public and private properties, assault, obstructions, annoyance *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Ariyankuppam Police Station, has prayed to invoke provisions under section 144 of Cr.P.C., against 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 12-07-2022 to appear for the hearings on 20-07-2022 and 26-07-2022 at 10 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Ariyankuppam Police Station, Puducherry. The notice for the Counter Petitioner was received by his brother, Thiru Chandru. The service was held sufficient for the Counter Petitioner.

8. On 26-07-2022, the Petitioner Thiru J. Muruganandham, Sub-Inspector, Ariyankuppam Police Station, Puducherry, was present. The Counter Petitioner has failed to appear before the Court on hearing date.

9. I have heard the Petitioner and carefully gone through all the available records placed before me.

In the Police information report/petition, it is stated that the activities of Thiru Baskar (24), 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 7 criminal cases were registered against him in various Police Stations.

10. 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, extortion, damages to public and private properties, assault, 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 powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Baskar (24), S/o. Parthasarathy, a resident of Shanmuga Nagar, Ariyankuppam, 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 26th day of July, 2022 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. 142/2022, I.R.No. 16/2022 under section 144 of Cr.P.C./2146

ORDER

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

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

. . . Petitioner

Vs

Thiru Aswin (31),
S/o Illangovan,
Pillaiyar Koil Street,
Odaiveli, Ariyankuppam,
Puducherry.

. . . Counter-
Petitioner.

This petition along with case sheet is filed by Station House Officer, Ariyankuppam Police Station, praying to pass orders under section 144 of Cr.P.C., against Thiru Aswin (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 Aswin (31), S/o. Illangovan, a resident of Pillaiyar Koil Street, Odaiveli, Ariyankuppam, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Ariyankuppam Police Station, through the Superintendent of Police (South), Puducherry *vide* I.R.No.16/2022 under section 144 of Cr.P.C., dated 14-06-2022. Therein it has been stated that the Counter Petitioner have formed a gang of rowdies and bent upon indulging in crime such as murder, attempt to murder, dacoity, robbery, hurt, riot, explosive cases. The Counter Petitioner has created panic in the minds of local inhabitants. It is also stated that he is extorting money from the local merchants and is leading lavish life with the money earned through extortion. As a result the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

1. Cr.No.367/2009 under section 302 IPC r/w 34 IPC and section 3 of Explosive Substances Act, 1908, dated 24-12-2009 of Mudaliarpot Police Station, Puducherry.
2. Cr.No. 192/2010 under section 25 (1) (a) Arms Act, 1959, dated 25-06-2010 of Town Police Station, Karaikal.
3. Cr.No. 123/2011 under section 25 (1) (a) of Arms Act, 1959, dated 04-09-2011 of Thavalakuppam Police Station, Puducherry.

4. Cr. No. 292/2011 under section 25 (1) (a) of Arms Act, 1959, dated 04-09-2011 of Ariyankuppam Police Station, Puducherry.
5. Cr. No. 151/2011 under section 392 IPC r/w 34 IPC @ 395 IPC, dated 12-06-2011 of Ariyankuppam Police Station, Puducherry.
6. Cr.No.31/2012 under section 397 IPC, dated 19-01-2012 of Auroville Police Station, Tamil Nadu.
7. Cr.No.13/2012 under sections 392, 427 IPC r/w 34 IPC @ 395, 427 IPC r/w 109 IPC, dated 29-01-2012 of Thirubuvanai Police Station, Puducherry.
8. Cr.No. 49/2013 under section 392 IPC r/w 34 IPC @ 395, 109 IPC, dated 26-04-2013 of Thirubuvanai Police Station, Puducherry.
9. Cr.No. 91/2013 under sections 341, 324, 506 (ii) IPC r/w 34 IPC, dated 28-06-2013 of Ariyankuppam Police Station, Puducherry.
10. Cr No. 90/2013 under sections 147, 449, 342, 332, 506 (ii) IPC and 120(b) IPC r/w 149 IPC and 27 of Arms Act, 1959, dated 29-08-2013 of Yanam Police Station, Yanam.
11. Cr. No. 488/2016 under section 399 IPC, dated 04-08-2016 of Kottakuppam Police Station.
12. Cr. No. 163/2016 under section 3 of Explosive Substances Act, 1908, dated 16-09-2016 of Mudaliarpot Police Station, Puducherry.
13. Cr. No. 75/2010 under sections 148, 324, 323, 506 (ii) IPC r/w 149 IPC, dated 14-05-2010 of Ariyankuppam Police Station, Puducherry.
14. Cr. No. 406/2016 under sections 147, 148, 302, 324, 120-B IPC r/w 149 IPC and 25 (i-a), 27 (i) of Arms Act and 3, 5, 6 of Explosives Substances Act 1908, dated 04-10-2016 of Villupuram Town Police Station, Tamil Nadu.
15. Cr No. 18/2016 under sections 147, 148, 341, 109, 307 IPC and 3 of POPPD Act r/w 3(a) & 4(a), 5 r/w 6 of Explosives Substances Act, 1908, dated 22-01-2016 of Villupuram Town Police Station, Tamil Nadu.
16. Cr No. 33/2016 under sections 307 IPC r/w 34 IPC @ 307, 120(b) r/w 149 IPC, dated 19-06-2016 of Neravy Police Station, Karaikal
17. Cr No. 62/2016 under sections 324, 506 (ii) IPC r/w 34 IPC @ 392 IPC r/w 34 IPC, dated 22-05-2016 of Lawspet Police Station, Puducherry.
18. Cr No. 102/2018 under sections 356, 379 IPC r/w 34 IPC, dated 13-07-2018 of Ariyankuppam Police Station, Puducherry.
19. Cr No. 138/2019 under sections 147, 148, 302 IPC and 3 of Explosives Substances Act, 1908 r/w 149 IPC @ under sections 120 (b), 147, 148, 302 IPC and 3, 4 of Explosives Substances Act, 1908 r/w 149 IPC, dated 06-11-2019 of Ariyankuppam Police Station, Puducherry.

4. The Petitioner further submitted that the Counter Petitioner is a notorious rowdy element and become a source of terror among the public. It is also stated that he has involved in various offences by using aruval, knife and explosive substances to attack the victims.

5. It is also stated in the I.R that the Station House Officer have received reliable information that he is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. The Counter Petitioner are hatching plans to threaten the business people in the Puducherry urban and rural areas and extort money from them by threatening and he violated the conditions imposed by the Criminal Courts and have scant respect to the judiciary and rule of law. The Petitioner also stated 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 Ariyankuppam limits, it is apprehended that he would continue to indulge in serious offences like murder, extortion, damages to public and private properties, assault, obstructions, annoyance, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Ariyankuppam Police Station has prayed to invoke provisions under section 144 of Cr.P.C., against 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 12-07-2022 to appear for the hearings on 20-07-2022 and 26.07.2022 at 10 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Ariyankuppam Police Station, Puducherry. The notice for the Counter Petitioner was received by his brother, Thiru Dhinakaran. The service was held sufficient for the Counter Petitioner.

8. On 26-07-2022, the Petitioner Thiru J. Muruganandham, Sub-Inspector, Ariyankuppam Police Station, Puducherry was present. The Counter Petitioner has failed to appear before the Court on hearing date.

9. I have heard the Petitioner and carefully gone through all the available records placed before me.

In the Police information report/petition, it is stated that the activities of Thiru Aswin (31), 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 19 criminal cases were registered against him in various Police Stations.

10. 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, extortion, damages to public and private properties, assault, 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 powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Aswin (31), S/o. Illangovan, a resident of Pillaiyar Koil Street, Odaiveli, Ariyankuppam, 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 26th day of July, 2022 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. 143/2022, I.R.No. 17/2022 under section 144 of Cr.P.C./2142

ORDER

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

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

.. Petitioner

Vs

Thiru Vivek @ Vaithyanathan (30),
S/o. Krishnan,
Shanmuga Nagar,
Ariyankuppam,
Puducherry.

.. Counter-
Petitioner.

This petition along with case sheet is filed by the Station House Officer, Ariyankuppam Police Station, praying to pass orders under section 144 of Cr.P.C., against Thiru Vivek @ Vaithyanathan (30), 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 Vivek @ Vaithyanathan (30), S/o. Krishnan, a resident of Shanmuga Nagar, Ariyankuppam, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Ariyankuppam Police Station, through the Superintendent of Police (South), Puducherry *vide* I.R.No. 17/2022 under section 144 of Cr.P.C., dated 14-06-2022. Therein it has been stated that the Counter Petitioner have formed a gang of rowdies and bent upon indulging in crime such as murder, attempt to murder, dacoity, robbery, hurt, riot, explosive cases. The Counter Petitioner has created panic in the minds of local inhabitants. It is also stated that he is extorting money from the local merchants and is leading lavish life with the money earned through extortion. As a result the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

1. Cr.No.170/2010 under sections 147, 148, 302 IPC 3 of Explosives Substances Act, 1908 of Grand Bazar Police Station, Puducherry – Pending Trial.
2. Cr. No.151/2011 under section 392 IPC r/w 34 IPC, dated 12-06-2011 of Ariyankuppam Police Station, Puducherry – Pending Trial.
3. Cr. No. 13/2012 under section 302 IPC r/w 34 IPC and 3 of Explosive of Mudaliarpet Police Station, Puducherry – Pending Trial.
4. Cr. No. 13/2012 under sections 427, 392 IPC r/w 34 IPC @ 427, 395 IPC of Thirubuvanai Police Station, Puducherry – Pending Trial.
5. Cr. No. 31/2012 under section 397 of Auroville Police Station, Tamil Nadu – Pending Trial.
6. Cr.No.01/2016 under sections 147, 148, 307, 341, 323, 324 r/w 149 IPC of Ariyankuppam Police Station, Puducherry – Pending Trial.
7. Cr.No.114/2016 under sections 294(b), 323, 324, 506 (ii) r/w 34 IPC of Ariyankuppam Police Station, Puducherry – Pending Trial.
8. Cr.No. 137/2017 under section 25(1-a) Arms Act, 1989 and 294(b), 506(i) IPC of Ariyankuppam Police Station, Puducherry – Pending Trial.
9. Cr.No. 41/2017 under sections 395, 109 IPC, dated 28-06-2013 of Thavalakuppam Police Station, Puducherry – Pending Trial.
10. Cr. No. 39/2017 under sections 395, 109 IPC of Mangalam Police Station, Puducherry – Pending Trial.
11. Cr. No138/2019 under sections 147, 148, 302 IPC 3 of Explosives Substances Act, 1908 r/w 149 IPC of Ariyankuppam Police Station, Puducherry – Pending Trial.

4. The Petitioner further submitted that the Counter Petitioner is a notorious rowdy element and become a source of terror among the public. It is also stated that he has involved in various offences by using aruval, knife, and explosive substances to attack the victims.

5. It is also stated in the I.R that the Station House Officer have received reliable information that he is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. The Counter Petitioner are hatching plans to threaten the business people in the Puducherry urban and rural areas and extort money from them by threatening and he violated the conditions imposed by the Criminal Courts and have scant respect to the judiciary and rule of law. The Petitioner also stated 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 Ariyankuppam limits, it is apprehended that he would continue to indulge in serious offences like murder, extortion, damages to public and private properties, assault, obstructions, annoyance, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Ariyankuppam Police Station, has prayed to invoke provisions under section 144 of Cr.P.C., against 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 12-07-2022 to appear for the hearings on 20-07-2022 and 26-07-2022 at 10 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Ariyankuppam Police Station, Puducherry. The notice for the Counter Petitioner was received by his sister, Tmt. K. Vinodhini. The service was held sufficient for the Counter Petitioner.

8. On 26-07-2022, the Petitioner Thiru J. Muruganandham, Sub-Inspector, Ariyankuppam Police Station, Puducherry was present. The Counter Petitioner has failed to appear before the Court on hearing date.

9. I have heard the Petitioner and carefully gone through all the available records placed before me.

In the Police information report/petition, it is stated that the activities of Thiru Vivek @ Vaithiyanathan (30) 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 11 criminal cases were registered against him in various Police Stations.

10. 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, extortion, damages to public and private properties, assault, 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 powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Vivek @ Vaithyanathan (30), S/o. Krishnan, a resident of Shanmuga Nagar, Ariyankuppam, 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 26th day of July, 2022 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. 144/2022, I.R.No. 18/2022 under section 144 of Cr.P.C./2147

ORDER

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

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

.. Petitioner

Vs

Thiru Eli @ Udhaya (35),
S/o. Uthamaputhiran,
No.42, Chinnaveerampattinam Street,
Odaiveli, Ariyankuppam,
Puducherry.

.. Counter-
Petitioner.

This petition along with case sheet is filed by the Station House Officer, Ariyankuppam Police Station, praying to pass orders under section 144 of Cr.P.C., against Thiru Eli @ Udhaya (35), 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 Eli @ Udhaya (35), S/o. Uthamaputhiran, a resident of No.42, Chinnaveerampattinam Street, Odaiveli, Ariyankuppam, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Ariyankuppam Police Station, through the Superintendent of Police (South), Puducherry *vide* I.R.No.18/2022 under

section 144 of Cr.P.C., dated 15-06-2022. Therein it has been stated that the Counter Petitioner have formed a gang of rowdies and bent upon indulging in crime such as murder, attempt to murder, dacoity, robbery, hurt, riot, explosive cases. The Counter Petitioner has created panic in the minds of local inhabitants. It is also stated that he is extorting money from the local merchants and is leading lavish life with the money earned through extortion. As a result the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

1. Cr.No.189/2008 under sections 341, 506 (ii) IPC r/w 34 IPC, dated 02-09-2008 – Convicted.
2. Cr.No.182/2012 under section 506 (ii) IPC r/ w 34 IPC and 3 of Explosives Substances Act, dated 30-11-2012 – Pending Trial.
3. Cr.No.133/2012 under section 25 (1-A) of Arms Act, – Pending Trial.
4. Cr.No.13/2012 under sections 427, 392 IPC r/w 34 IPC @ 427, 395 IPC and 109 IPC, dated 29-01-2012 of Thirubuvanai Police Station, Puducherry – Pending Trial.
5. Cr.No.31/2012 under section 397 IPC, dated 19-01-2012 of Aroville Police Station, Tamil Nadu – Pending Trial.
6. Cr. No. 138/2019 under sections 147, 148, 302 IPC and 3 of Explosives substances Act, 1908 r/w 149 IPC @ under sections 120(b), 147, 148, 302 IPC and 3,4 of Explosives substances Act, 1908 r/w 149 IPC – Pending Trial.
7. Cr.No.105/2017 under sections 435, 506 (ii) r/w 34 IPC, dated 27-07-2017 of Ariyankuppam Police Station, Puducherry – Pending Trial.
8. Cr.No.65/2018 under section 34(b) of PP Act, dated 15-05-2018 – Convicted.

4. The Petitioner further submitted that the Counter Petitioner is a notorious rowdy element and become a source of terror among the public. It is also stated that he has involved in various offences by using aruval, knife and explosive substances to attack the victims.

5. It is also stated in the I.R that the Station House Officer have received reliable information that he is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. The Counter Petitioner are hatching plans to threaten the business people in the Puducherry urban and rural areas and extort money from them by threatening and he violated the conditions imposed by the Criminal Courts and have scant respect to the judiciary and rule of law. The Petitioner also stated 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 Ariyankuppam limits, it is apprehended that he would continue to indulge in serious offences like murder, extortion, damages to public and

private properties, assault, obstructions, annoyance, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Ariyankuppam Police Station has prayed to invoke provisions under section 144 of Cr.P.C., against 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 12.07.2022 to appear for the hearings on 20-07-2022 and 26-07-2022 at 10 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Ariyankuppam Police Station, Puducherry. The notice for the Counter Petitioner was received by his brother, Thiru U. Udhayakumar. The service was held sufficient for the Counter Petitioner.

8. On 26-07-2022, the Petitioner Thiru J. Muruganandham, Sub-Inspector, Ariyankuppam Police Station, Puducherry, was present. The Counter Petitioner has failed to appear before the Court on hearing date.

9. I have heard the Petitioner and carefully gone through all the available records placed before me.

In the Police information report/petition, it is stated that the activities of Thiru Eli @ Udhaya (35), 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.

10. 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, extortion, damages to public and private properties, assault, 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 powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Eli @ Udhaya (35), S/o. Uthamaputhiran, a resident of No. 42, Chinnaveerampattinam Street, Odaiveli, Ariyankuppam, 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 26th day of July, 2022 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. 145/2022, I.R.No. 19/2022 under section 144 of Cr.P.C./2143

ORDER

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

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

. . . Petitioner

Vs

Thiru Loganathan @ Ajith (23),
S/o. Arumugam,
No. 01, Old Pooranankuppam Street,
Ariyankuppam,
Puducherry.

. . . Counter-
Petitioner.

This petition along with case sheet is filed by the Station House Officer, Ariyankuppam Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Loganathan @ Ajith (23), 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 Loganathan @ Ajith (23), S/o. Arumugam, a resident of No. 01, Old Pooranankuppam Street, Ariyankuppam, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Ariyankuppam Police Station, through the Superintendent of Police (South), Puducherry *vide* I.R.No.19/2022 under section 144 of Cr.P.C., dated 15-06-2022. Therein it has been stated that the Counter Petitioner have formed a gang of rowdies and bent upon indulging in crime such as murder, attempt to murder, robbery, dacoity, hurt, explosive cases. The Counter Petitioner has created panic in the minds of local inhabitants. It is also stated that he is extorting money from the local merchants and is leading lavish life with the money earned through extortion. As a result the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

1. Cr.No.146/2017 under sections 341, 364, 392, 111, 302 IPC r/w 149 IPC and section 5 (1) (a) and (d) Immoral Traffic Act, 1986, dated 28-09-2017 of Ariyankuppam Police Station, Puducherry – Pending Trial.
2. Cr.No.163/2018 under sections 341, 294 (b), 324, 506 (ii) IPC r/w 34 IPC, dated 05-11-2018 of Ariyankuppam Police Station, Puducherry – Pending Trial.

3. Cr.No.07/2019 under sections 294 (b), 324, 506 (ii) IPC, dated 21-01-2019 of Ariyankuppam Police Station, Puducherry – Pending Trial.
4. Cr.No.38/2019 under sections 294 (b), 506 (ii) IPC r/w 34 IPC, 27 (i) Arms Act, dated 27-03-2019 of Ariyankuppam Police Station, Puducherry – Pending Trial.
5. Cr.No.406/2020 under sections 294 (b), 506 (ii) IPC r/w 34 IPC, dated 02-11-2020 of Ariyankuppam Police Station, Puducherry – Pending Trial.
6. Cr.No.89/2019 under sections 8(c) r/w 20 (b), (ii) (A), 27 (A), 29 NDPS Act of Orleanpet Police Station, Puducherry – Pending Trial.
7. Cr.No.10/2021 under sections 294 (b), 324, 506 (ii) IPC, dated 05-07-2021 of Ariyankuppam Police Station, Puducherry – Pending Trial.
8. Cr.No.155/2021 under sections 294 (b), 329, 506 (ii) IPC r/w 34 IPC of Ariyankuppam Police Station, Puducherry – Pending Trial.
9. Cr.No.157/2021 under sections 4(b) of Explosives Substances Act 1908 and 25(1-B)(b) Arms Act, 1959 r/w 34 IPC of Ariyankuppam Police Station, Puducherry – Pending Trial.

4. The Petitioner further submitted that the Counter Petitioner is a notorious rowdy element and become a source of terror among the public. It is also stated that he has involved in various offences by using aruval, knife to attack the victims.

5. It is also stated in the I.R that the Station House Officer have received reliable information that he is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. The Counter Petitioner are hatching plans to threaten the business people in the Puducherry urban and rural areas and extort money from them by threatening and he violated the conditions imposed by the Criminal Courts and have scant respect to the judiciary and rule of law. The Petitioner also stated 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, Counter Petitioner is allowed to reside in Ariyankuppam limits, it is apprehended that he would continue to indulge in serious offences like murder, hurt, damages to public and private properties, extortion, assault, obstructions, annoyance, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Ariyankuppam Police Station, has prayed to invoke provisions under section 144 of Cr.P.C., against 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 12-07-2022 to appear for the hearing on 26-07-2022.

It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Ariyankuppam Police Station, Puducherry. The notice for the Counter Petitioner was received by his wife, Tmt. L. Nagalakshmi. The service was held sufficient for the Counter Petitioner.

8. On 26-07-2022, the Petitioner Thiru J. Muruganandham, Sub-Inspector, Ariyankuppam Police Station, Puducherry and the Counter Petitioner were 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 Thiru Loganathan @ Ajith (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 9 criminal cases were registered against him in various Police Stations. I have also heard the oral submission 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 murder, hurt, extortion, damages to public and private properties, assault, 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 powers conferred under the section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Loganathan @ Ajith (23), S/o. Arumugam, a resident of No. 01, Old Pooranankuppam Street, Pudukulam, Ariyankuppam, 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 26th day of July, 2022 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).