



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 SUBDIVISIONAL MAGISTRATE (NORTH) AT PUDUCHERRY

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

M.C. No. 108/2023, I.R.No. 26/2023 under section 144 of Cr.P.C./3196

ORDER

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

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

.. Petitioner

Vs.

Thiru Sathish @ Sathish Kumar (29),
S/o. Umabathy,
No. 89, Angunayakkar Thoppu,
Roadiarpet, Puducherry.

.. Counter Petitioner

[1667]

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

2. The Counter Petitioner is Thiru Sathish @ Sathish Kumar (29), son of Umabathy, a resident of No. 89, Angunayakkar Thoppu, Roadiarpet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Orleanpet Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R.No. 26/2023 under section 144 of Cr.P.C., dated 05-09-2023. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crimes such as murder, disturbance to the public tranquility and order. It is also stated that the Counter Petitioner have 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. 134/2016 under sections 143, 341, 186 r/w 149 IPC, dated 06-06-2016 of Orleanpet Police Station, Puducherry – Pending Trial.
2. Cr.No. 159/2016 under sections 294(b), 324, 506(ii) IPC r/w 34 IPC, dated 29-06-2016 of Orleanpet Police Station, Puducherry – Convicted.
3. Cr.No. 107/2019 under sections 147, 148, 302 IPC and 3 of Explosives Substance Act, 1908 R/w 149 IPC, dated 03-09-2019 of Orleanpet Police Station, Puducherry – Pending Trial.
4. Cr.No. 206/2023 under sections 427, 506(ii) IPC r/w 34 IPC, dated 04-09-2023 – Under Investigation.

4. The Petitioner further stated that the Counter Petitioner is not a law abiding citizen and he was often violating the conditions imposed by the Court while he was released on bail and become a source of terror among the public.

5. It is also stated in the I.R. that the Station House Officer has received reliable information that the Counter Petitioner is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. He is hatching plans to threaten the business people in the Puducherry area and extort money from them by threatening. 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. It is also stated in the I.R. that the Counter Petitioner is young and energetic and shows his muscle power by committing offences for petty reasons. It is further stated in the I.R. that he is very active and may commit any cognizable offence in connection with the prevailing law and order situation in that area. It is further submitted that his presence will cause major law and order problem in that area. Hence, it is prayed that he may isolate during forthcoming election.

7. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Orleanpet Police Station limits, Puducherry, it is apprehended that he would continue to indulge in serious offences like criminal intimidation, criminal trespass, affray, riot, assault, obstructions and 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, Orleanpet 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 six months as to prevent danger to the human life and properties, and disturbance to the public tranquility and order.

8. 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 03-11-2023 to appear for the hearing on 21-11-2023 at 10.00 a.m. and subsequent hearing on 22-11-2023. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Orleanpet Police Station, Puducherry. The notice was received by the Counter Petitioner.

9. On 22-11-2023, the Petitioner represented by Thiru J. Babuji, Inspector of Police, Orleanpet Police Station, Puducherry, was present. The learned Counsel, Thiru B.N. Balasundaram, was present and represented on behalf of the Counter Petitioner.

10. I have heard both the sides and carefully gone through all the available records placed before me. In the Police Information Report/Petition, it is stated that the activities of Thiru Sathish @ Sathish Kumar (29) is in such a manner that he may cause breach of peace and create a problem of law and order and public tranquility. He has involved in crimes such as murder, hurt, unlawful activities and disturbance to the public peace and order. There are 4 criminal cases were registered against him in the Police Station. I have also heard the oral submissions of the Learned Counsel for the Counter Petitioner. The Learned Counsel for the Counter Petitioner has stated that the Petitioner has filed this false case with an ulterior motive.

11. Upon hearing both sides and on perusal of the records submitted by the Petitioner, I am of the opinion that if the Counter Petitioner is allowed to reside within the limits of my jurisdiction, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, damages to public and private properties, obstructions, annoyance, *etc.*, and thereby become a perennial source of threat to the community and disturb public peace and order. Such situations cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr.P.C. is invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

12. 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 Sathish @ Sathish Kumar (29), son of Umabathy, a resident of No. 89, Angunayakkar Thoppu, Roadiarpet, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of two months from the date of this order or till any further orders are

passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry. However, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 22nd day of November, 2023 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

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

M.C. No. 109/2023, I.R.No. 27/2023 under section 144 of Cr.P.C./3199

ORDER

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

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

. . . Petitioner

Vs.

Thiru Mani @ Manivannan (33),
S/o. Umabathy,
No. 89, Angunayakkar Thoppu,
Roadiarpet, Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Orleanpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Mani @ Manivannan (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 Mani @ Manivannan (33), son of Umabathy, a resident of No. 89, Angunayakkar Thoppu, Roadiarpet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Orleanpet Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R.No. 27/2023 under section 144 of Cr.P.C., dated 05-09-2023. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crimes such as murder, disturbance to the public tranquility and order. It is also stated that the Counter Petitioner have 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. 125/2013 under sections 448, 324, 506(ii) IPC r/w 34 IPC, dated 18-06-2013 of Orleanpet Police Station, Puducherry – Convicted on 08-09-2013.
2. Cr.No. 73/2016 under sections 324, 506(ii) IPC r/w 34 IPC, dated 21-03-2016 of Orleanpet Police Station, Puducherry – Convicted on 22-04-2018.
3. Cr.No. 159/2016 under sections 294(b), 324, 506(ii) IPC r/w 34 IPC, dated 29-06-2016 of Orleanpet Police Station, Puducherry – Convicted CC.No. 73/2017.
4. Cr.No. 36/2017 under sections 294(b), 323, 325, 506(ii) IPC r/w 34 IPC, dated 13-02-2017 of Orleanpet Police Station, Puducherry – Pending Trial *vide* CC.No. 110/2019.
5. Cr.No. 107/2019 under sections 147, 148, 302 IPC and 3 of Explosives Substance Act, 1908 r/w 149 IPC, dated 03-09-2019 of Mudaliarpot Police Station, Puducherry – Pending Trial.
6. Cr.No. 240/2022 under sections 25(1-A) Arms Act, 341, 323 506 (ii) IPC r/w 34 IPC of Orleanpet Police Station, Puducherry – Pending Trial.

4. The Petitioner further stated that the Counter Petitioner is not a law abiding citizen and he was often violating the conditions imposed by the Court while he was released on bail and become a source of terror among the public.

5. It is also stated in the I.R. that the Station House Officer has received reliable information that the Counter Petitioner is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. He is hatching plans to threaten the business people in the Puducherry area and extort money from them by threatening. 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. It is also stated in the I.R. that the Counter Petitioner is young and energetic and shows his muscle power by committing offences for petty reasons. It is further stated in the I.R. that he is very active and may commit any cognizable offence in connection with the prevailing law and order situation in that area. It is further submitted that his presence will cause major law and order problem in that area. Hence, it is prayed that he may isolate during forthcoming election.

7. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Orleanpet Police Station limits, Puducherry, it is apprehended that he would continue to indulge in serious offences like criminal intimidation, criminal trespass, affray, riot, assault, obstructions and 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, Orleanpet 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 six months as to prevent danger to the human life and properties, and disturbance to the public tranquility and order.

8. 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 03-11-2023 to appear for the hearing on 21-11-2023 at 10.00 a.m. and subsequent hearing on 22-11-2023. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Orleanpet Police Station, Puducherry. The notice was received by the Counter Petitioner.

9. On 22-11-2023, the Petitioner represented by Thiru J. Babuji, Inspector of Police, Orleanpet Police Station, Puducherry, and the Counter Petitioner was present. The learned Counsel, Thiru B.N. Balasundaram, was present and represented on behalf of the Counter Petitioner.

10. I have heard both the sides 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 Mani @ Manivannan (33) 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 explosive, arms act, hurt cases, unlawful activities and disturbance to the public peace and order. There are 6 criminal cases were registered against him in the various Police Stations. I have also heard the oral submissions of the Learned Counsel for the Counter Petitioner. The Learned Counsel for the Counter Petitioner has stated that the Petitioner has filed this false case with an ulterior motive and further submitted that the Counter Petitioner is living in Kandamangalam, Tamil Nadu and requested to permit him to come during Sundays.

11. Upon hearing both sides and on perusal of the records submitted by the Petitioner, I am of the opinion that if, the Counter Petitioner is allowed to reside within the limits of my jurisdiction, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, damages to public and private properties, obstructions, annoyance, *etc.*, and thereby become a perennial source of threat to the community and disturb public peace and order. Such situations cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence it is necessary that special provision under section 144 of Cr.P.C. is invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

12. 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 Mani @ Manivannan (33), son of Umabathy, a resident of No. 89, Angunayakkar Thoppu, Roadiarpet, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of two months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry. However, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 22nd day of November, 2023 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. 157/2023, I.R.No. 35/2023 under section 144 of Cr.P.C./3201

ORDER

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

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

. . . Petitioner

Vs

Thiru Sivaperumal @ Sathiya (28),
S/o. Saravanan,
7th Cross, Rainbow Nagar,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Sub-Inspector of Police, Grand Bazaar Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Sivaperumal @ Sathiya (28) 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 Sivaperumal @ Sathiya (28), son of Saravanan, a resident of 7th Cross, Rainbow Nagar, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case referred by the Sub-Inspector of Police, Grand Bazaar Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R.No. 35/2023 under section 144 of Cr.P.C., dated 04-11-2023. 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, criminal intimidation 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 town limits. It is also stated that he is leading lavish life with the money earned through illegal activities. 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. 232/2010 under sections 457, 380 r/w 34 IPC, dated 23-10-2010 of Muthialpet Police Station, Puducherry.
2. Cr.No. 178/2011 under sections 449, 302 r/w 34 IPC, dated 09-08-2011 of Muthialpet Police Station, Puducherry.
3. Cr.No. 141/2012 under sections 148, 302, 307, 324 r/w 149 IPC, dated 22-07-2012 of Muthialpet Police Station, Puducherry.

4. Cr.No. 212/2012 under sections 356, 379 IPC r/w 34 IPC, dated 07-12-2012 of Muthialpet Police Station, Puducherry.
5. Cr.No. 142/2013 under section 379 IPC, dated 09-10-2013 of Muthialpet Police Station, Puducherry.
6. Cr.No. 13/2015 under sections 147, 148, 302 IPC r/w 149 IPC, dated 09-02-2015 of Muthialpet Police Station, Puducherry.
7. Cr.No. 103/2015 under sections 294(b), 336, 506(ii) IPC r/w 34 IPC, dated 23-09-2015 of Muthialpet Police Station, Puducherry.
8. Cr.No. 141/2017 under sections 399, 402 IPC, dated 24-07-2017 of Villianur Police Station, Puducherry.
9. Cr.No. 107/2018, under section 25 (i) (a) of Arms Act and 506(ii) IPC, dated 22-05-2018 of Grand Bazaar Police Station, Puducherry.
10. Cr.No. 120/2018 under section 34 B-IX and E1 of PP Act and 506(ii) IPC, dated 11-12-2018 of Muthialpet Police Station, Puducherry.
11. Cr.No. 10/2019 under section 25 (i) (a) of Arms Act and 506(ii) IPC, dated 30-01-2019 of Grand Bazaar Police Station, Puducherry.
12. Cr.No. 294/2019 under sections 147, 148, 302 IPC r/w 149 IPC, dated 18-11-2019 of Vadaloor Police Station, Tamil Nadu.
13. Cr.No. 10/2021 under sections 294, 324, 506(ii) IPC r/w 34 IPC of Odiansalai Police Station, Puducherry.
14. Cr.No. 25/2021 under section 307 IPC r/w 34 IPC @ 147, 148, 307 IPC r/w 148 IPC of Grand Bazaar Police Station, Puducherry.
15. Cr.No. 139/2022 under sections 450, 342, 395 IPC of Grand Bazaar Police Station, Puducherry.

4. The Petitioner stated that the Counter Petitioner is a notorious rowdy element. It is also stated that the Counter Petitioner has involved in various offences by using aruval, knife to attack the victims and become a source of terror among the public. It is further stated that the Counter Petitioner is not a law abiding person.

5. It is also stated in the I.R. that the Petitioner have received reliable information that the Counter Petitioner desperate and is in dire need of money to maintain his group of rowdy elements. Further, stated that the Counter Petitioner is hatching plans to threaten the business people in the Puducherry urban area and extort money from them by threatening. The Petitioner also stated that the Counter Petitioner is having a life threat and 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 Puducherry town limits, it is apprehended that he would continue to indulge in serious offences like murder, extortion, kidnapping, theft, snatching, 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, Grand Bazaar 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;

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 16-11-2023 to appear for the hearing on 29-11-2023 at 10.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Grand Bazaar Police Station, Puducherry. The notice for the Counter Petitioner was received by his relative Tmt. S. Sumathi. The Service was held sufficient for the Counter Petitioner.

8. On 29-11-2023, the Petitioner represented by Mrs. Shamala, Sub-Inspector, Grand Bazaar 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 Sivaperumal @ Sathiya (28), 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, murder, theft, assault, obstructions and annoyance, unlawful activities and disturbance to the public peace and order. There are 15 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, 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;

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 Sivaperumal @ Sathiya (28), son of Saravanan, a resident of 7th Cross, Rainbow Nagar, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of two months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry.

At Puducherry, dated on this 29th day of November, 2023, 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. 161/2023, I.R.No. 38/2023 under section 144 of Cr.P.C./3193

ORDER

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

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

. . . Petitioner

Vs.

Thiru Sappi Murugan @ Murugan (21),
S/o. Jeyaraman,
No. 13, A-Block, 1st Cross,
Vaikal Street, Pavanar Nagar, Boomiyampet,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by Station House Officer, Thiru D. Murugan, Sub-Inspector, Reddiyarpalayam Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Sappi Murugan @ Murugan (21), 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 Sappi Murugan @ Murugan (21), son of Jeyaraman, a resident of No. 13, A-Block, 1st Cross, Vaikal Street, Pavanar Nagar, Boomiyampet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Reddiyarpalayam Police Station, Puducherry, with the recommendation of the Superintendent of Police (North), Puducherry *vide* I.R.No. 38/2023 under section 144 of Cr.P.C., dated 09-11-2023. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as murder, extortion, hurt and disturbance to the public tranquility and order. It is also stated that he is leading lavish life with the money earned through extortion. As a result, the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

1. Cr.No. 120/2018 under sections 341, 302 r/w 34 IPC @ 148, 341, 302, 120(B) IPC r/w 149 IPC, dated 30-09-2018 of Reddiyarpalayam Police Station, Puducherry.
2. Cr.No. 99/2022 under sections 147, 307, 324 IPC r/w 149 IPC, dated 04-08-2022 of Reddiyarpalayam Police Station, Puducherry.

4. The Petitioner further, stated that the Counter Petitioner is a rowdy element and become a source of terror among the public and he is a active bad character criminal as well as having associated with bad character China Sakthivel of Lambert Saravanan Nagar.

5. It is also stated in the I.R that the Station House Officer have received reliable information that the Counter Petitioner maintains the mass group of youngsters at Pavanar Nagar, Boomianpet and surrounding areas and gave money, alcohol to them. 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. Hence, the Station House Officer, Reddiarpalayam 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.

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 16-11-2023 to appear for the hearing on 30-11-2023 at 10.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Reddiarpalayam Police Station, Puducherry.

8. On 30-11-2023, the Petitioner Thiru D. Murugan, Sub-Inspector, Reddiarpalayam Police Station, Puducherry and the Counter Petitioner were present.

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 Sappi Murugan @ Murugan (21), 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, unlawful activities and disturbance to the public peace and order. There are two criminal cases were registered against him in Reddiarpalayam Police Station, Puducherry. 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. 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, extortion, 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 powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter

Petitioner Thiru Sappi Murugan @ Murugan (21), son of Jeyaraman, a resident of No. 13, A-Block, 1st Cross, Vaikal Street, Pavanar Nagar, Boomiyampet, 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.

At Puducherry, dated on this 30th day of November, 2023 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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IN THE COURT OF SUBDIVISIONAL MAGISTRATE (NORTH)
AT PUDUCHERRY

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

M.C. No. 162/2023, I.R.No. 30/2023 under section 144 of Cr.P.C./3197

ORDER

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

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

. . . Petitioner

Vs.

Thiru Siva @ Kutti Siva (32),
S/o. Joseph,
III Cross, Annai Indira Ninaivu Nagar,
Orleanpet, Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Orleanpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Siva @ Kutti Siva (32), 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 Siva @ Kutti Siva (32), son of Joseph, a resident of III Cross, Annai Indira Ninaivu Nagar, Orleanpet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Orleanpet Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R.No. 30/2023 under section 144 of Cr.P.C., dated 05-11-2023. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crimes such as murder, 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. 125/2013 under sections 448, 324, 506 (ii) r/w 34 IPC of Orleanpet Police Station, Puducherry – Acquitted.
2. Cr.No. 6/2014 under section 34 A (1) of PP Act of Orleanpet Police Station, Puducherry – Convicted.
3. Cr.No. 153/2014 under section 34 A I of PP Act of Orleanpet Police Station, Puducherry – Convicted.
4. Cr.No. 434/2014 under sections 147, 148, 307, 302 IPC and 3 of Explosives Substances Act of Sembanar Koil Police Station, Tamil Nadu – Pending Trial.
5. Cr.No. 143/2016 under sections 380 IPC @ 457, 380 IPC r/w 34 IPC and 109 IPC of D'Nagar Police Station, Puducherry – Pending Trail.
6. Cr.No. 08/2017 under sections 294(b), 324, 506(ii) IPC of Orleanpet Police Station, Puducherry – Pending Trail.
7. Cr.No. 187/2018 under section 25(i)(a) of Arms Act 1959 of Orleanpet Police Station, Puducherry – Pending Trail.
8. Cr.No. 110/2019 under section 25(1) (a) of Arms Act 1959 @ 34 B(IX) of PP Act and 506(ii) IPC of Orleanpet Police Station, Puducherry – Pending Trail.
9. Cr.No. 107/2019 under sections 147, 148, 302 IPC and 3 of Explosive Substances Act r/w 149 IPC of Mudaliarpot Police Station, Puducherry – Pending Trail.
10. Cr.No. 182/2020 under sections 294(b), 324, 506(ii) r/w 34 IPC of Orleanpet Police Station, Puducherry – Pending Trail.
11. Cr.No. 128/2021 under sections 294(b), 324, 427, 506(ii) IPC r/w 34 IPC of Orleanpet Police Station, Puducherry – Pending Trail.
12. Cr.No. 129/2022 under sections The Prevention of Cruelty to Animals Act, section 11(1) (a) and 506(II) r/w 34 IPC of Orleanpet Police Station, Puducherry – Pending Trail.
13. Cr.No. 126/2022 under sections 294(b), 324, 506(ii) IPC of Reddiarpalayam Police Station, Puducherry – Pending Trail.
14. Cr.No. 153/2022 under sections 448, 506(ii) IPC and 25(1-a) of Arms Act Reddiarpalayam Police Station, Puducherry – Pending Trail.
15. Cr.No. 307/2022 under sections 399, 402 IPC Orleanpet Police Station, Puducherry – Pending Trail.

4. The Petitioner further stated that the Counter Petitioner is not a law abiding citizen and he was often violating the conditions imposed by the Court while he was released on bail and become a source of terror among the public.

5. It is also stated in the I.R. that the Station House Officer has received reliable information that the Counter Petitioner is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. He is hatching plans to threaten the business people in the Puducherry area and extort money from them by threatening. 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. It is also stated in the I.R. that the Counter Petitioner is young and energetic and shows his muscle power by committing offences for petty reasons. It is further stated in the I.R. that he is very active and may commit any cognizable offence in connection with the prevailing law and order situation in that area.

7. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Orleanpet Police Station limits, Puducherry, it is apprehended that he would continue to indulge in serious offences like criminal intimidation, criminal trespass, affray, riot, assault, obstructions and 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, Orleanpet Police Station, Puducherry, has prayed to invoke provisions under section 144 of Cr.P.C., against the Counter Petitioner to not to enter into the jurisdiction of this Court, for a period of six months as to prevent danger to the human life and properties, and disturbance to the public tranquility and order.

8. 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 03-11-2023 to appear for the hearing on 21-11-2023 at 10.00 a.m. and subsequent hearing on 22-11-2023. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Orleanpet Police Station, Puducherry. The notice for the Counter Petitioner was received by his wife, Tmt. S. Porkilai. The service was held sufficient for the Counter Petitioner.

9. On 22-11-2023, the Petitioner represented by Thiru J. Babuji, Inspector of Police, Orleanpet Police Station, Puducherry, and the Counter Petitioner was present. The Learned Counsel, Thiru Mayan, was present and represented on behalf of the Counter Petitioner without filing of vakalath.

10. I have heard both the sides 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 Siva @ Kutti Siva (32) is in such a manner that he may cause breach of peace and create a problem of law and order and public tranquility. He has involved in crimes such as murder, explosive, arms, hurt cases, unlawful activities and disturbance to the public peace and order. There are 15 criminal cases were registered against him in the various Police Station. I have also heard the oral submissions of the Learned Counsel for the Counter Petitioner. The Learned Counsel for the Counter Petitioner has stated that the Counter Petitioner has already undergone punishment. Hence, Learned Counsel prayed to dismiss the petition as last one month there is no mistakes was committed by him.

11. Upon hearing both sides and on perusal of the records submitted by the Petitioner, I am of the opinion that if the Counter Petitioner is allowed to reside within the limits of my jurisdiction, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, damages to public and private properties, obstructions, annoyance, *etc.*, and thereby become a perennial source of threat to the community and disturb public peace and order. Such situations cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr.P.C. is invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

12. 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 Siva @ Kutti Siva (32), son of Joseph, a resident of III Cross, Annai Indira Ninaivu Nagar, Orleanpet, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of two months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry. However, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 22nd day of November, 2023 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

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

M.C. No. 163/2023, I.R.No. 31/2023 under section 144 of Cr.P.C./3200

ORDER

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

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

. . . Petitioner

Vs.

Thiru Thamizh @ Thamizhmani (26),
S/o. Sundaraj,
No. 71, 3rd Cross, Sakthi Nagar, Saram,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Orleanpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Thamizh @ Thamizhmani (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 Thamizh @ Thamizhmani (26), son of Sundaraj, a resident of No. 71, 3rd Cross, Sakthi Nagar, Saram, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Orleanpet Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R.No. 31/2023 under section 144 of Cr.P.C., dated 06-11-2023. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crimes such as murder, arms, explosive, theft cases and disturbance to the public tranquility and order. It is also stated that the Counter Petitioner have 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. 112/03 under sections 457, 380 IPC of D'Nagar Police Station, Puducherry – Convicted on 21-05-2007 in CC No. 2/06.
2. Cr.No. 178/03 under sections 457, 380 IPC of D'Nagar Police Station, Puducherry – Convicted on 21-05-2007 in CC No. 255/06.
3. Cr.No. 111/09 under section 308 IPC @ 304 r/w 34 IPC and 3 of Explosive Substance Act 1908 of Thavalakuppam Police Station, Puducherry – Pending Trail PRC No. 29/10.
4. Cr.No. 330/09 under sections 399, 402 IPC and 27(1) of Arms Act of D'Nagar Police Station, Puducherry – Pending Trail in PRC No. 5/10.
5. Cr.No. 15/10 under sections 294, 323, 506(II) IPC – Pending Trail STR No. 3614/10.
6. Cr.No. 48/2019 under sections 20 (b), 307, 342, 328, 364, 451, 302, 201 r/w 34 IPC – Pending Trail.
7. Cr.No. 155/10 under section 27 of Arms Act and 506(II) IPC of Lawspet Police Station, Puducherry – Pending Trail CC.No. 426/10.
8. Cr.No. 201/11 under section 302 IPC of Mudaliarpot Police Station, Puducherry – Pending Trail S.C. No. 08/2011.
9. Cr.No. 283/12 under sections 294, 323, 506(II) IPC and 27(1) of Arms Act – Acquitted on 11-06-2014.
10. Cr.No. 168/13 under sections 324, 506(II) & 109 r/w 34 IPC – Pending Trail.
11. Cr.No. 264/22 under sections 294(b), 506(ii) IPC – Pending Trail.
12. Cr.No. 83/2023 under sections 457, 380 IPC Olakkur Police Station, Tamil Nadu – Under Investigation.
13. Cr.No. 84/2023 under sections 457, 380 IPC Tindivanam Police Station, Tamil Nadu – Under Investigation.

4. The Petitioner further, stated that the Counter Petitioner is not a law abiding citizen and he was often violating the conditions imposed by the Court while he was released on bail and become a source of terror among the public.

5. It is also stated in the I.R. that the Station House Officer has received reliable information that the Counter Petitioner is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. He is hatching plans to threaten the business people in the Puducherry area and extort money from them by threatening. 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. It is also stated in the I.R. that the Counter Petitioner is young and energetic and shows his muscle power by committing offences for petty reasons. It is further stated in the I.R. that he is very active and may commit any cognizable offence in connection with the prevailing law and order situation in that area.

7. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Orleanpet Police Station limits, Puducherry, it is apprehended that he would continue to indulge in serious offences like criminal intimidation, criminal trespass, affray, riot, assault, obstructions and 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, Orleanpet 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.

8. 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 16-11-2023 to appear for the hearing on 21-11-2023 at 10.00 a.m. and subsequent hearing on 22-11-2023. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Orleanpet Police Station, Puducherry. The notice for the Counter Petitioner was received by his wife, Tmt. T. Muthulatchumi. The service was held sufficient for the Counter Petitioner.

9. On 22-11-2023, the Petitioner represented by Thiru J. Babuji, Inspector of Police, Orleanpet Police Station, Puducherry, was present. The Counter Petitioner has failed to appear before the Court on hearing date.

10. 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 Thamizh @ Thamizhmani (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, theft, hurt cases, unlawful activities and disturbance to the public peace and order. There are 13 criminal cases were registered against him in the various Police Station.

11. On perusal of the records submitted by the Petitioner, I am of the opinion that if the Counter Petitioner is allowed to reside within the limits of my jurisdiction, the Counter Petitioner will continue to indulge in and also motivate

serious offences like murder, assault, damages to public and private properties, obstructions, annoyance, *etc.* and thereby become a perennial source of threat to the community and disturb public peace and order. Such situations cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr.P.C. is invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

12. 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 Thamizh @ Thamizhmani (26), son of Sundaraj, a resident of No. 71, 3rd Cross, Sakthi Nagar, Saram, 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 22nd day of November, 2023 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

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

M.C. No. 164/2023, I.R.No. 32/2023 under section 144 of Cr.P.C./3198

ORDER

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

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

. . . Petitioner

Vs.

Thiru Mano @ Manohar (32),
S/o. Mathiazhagan,
No. 1, VIII Cross, Sakthi Nagar,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Orleanpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Mano @ Manohar (32), 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 Mano @ Manohar (32), son of Mathiazhagan, a resident of No. 1, VIII Cross, Sakthi Nagar, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Orleanpet Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R.No. 32/2023 under section 144 of Cr.P.C., dated 08-11-2023. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crimes such as murder, arms, hurt, explosive cases 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. 196/09 under section 148 IPC and 3 (a) of Explosive Substance Act 1908 and 3 Damage of Public Property Act 1984 r/w 149 IPC of D' Nagar Police Station, Puducherry – Pending Trail.
2. Cr.No. 330/09 under sections 399, 402 IPC and 27(1) of Arms Act of D' Nagar Police Station, Puducherry – Pending Trail in PRC No. 5/10.
3. Cr.No. 170/10 under sections 147, 148, 302 r/w 149 IPC and 3 of Explosive Substances Act 1908 of Grand Bazaar Police Station, Puducherry – Pending Trail.
4. Cr.No. 325/11 under section 27(1) Arms Act and 506(2) r/w 34 IPC – Pending Trail.
5. Cr.No. 377/11 under section 27(1) Arms Act and 34 B IX PP Act – Pending Trail.
6. Cr.No. 148/2018 under sections 323, 294(b), 506(ii) r/w 34 IPC, dated 27-08-2018 – Pending Trail.
7. Cr.No. 165/2022 under section Women Missing @ 302, 201 IPC r/w 34 IPC Mudaliyarpet Police Station, Puducherry – Pending Trail.

4. The Petitioner further stated that the Counter Petitioner is not a law abiding citizen and he was often violating the conditions imposed by the Court while he was released on bail and become a source of terror among the public.

5. It is also stated in the I.R. that the Station House Officer has received reliable information that the Counter Petitioner is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. He is hatching plans to threaten the business people in the Puducherry area and extort money from them by threatening. 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. It is also stated in the I.R. that the Counter Petitioner is young and energetic and shows his muscle power by committing offences for petty reasons. It is further stated in the I.R. that he is very active and may commit any cognizable offence in connection with the prevailing law and order situation in that area.

7. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Orleanpet Police Station limits, Puducherry, it is apprehended that he would continue to indulge in serious offences like criminal intimidation, criminal trespass, affray, riot, assault, obstructions and 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, Orleanpet Police Station, Puducherry, has prayed to invoke provisions under section 144 of 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.

8. 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 16-11-2023 to appear for the hearing on 21-11-2023 at 10.00 a.m. and subsequent hearing on 22-11-2023. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Orleanpet Police Station, Puducherry. The notice for the Counter Petitioner was received by his mother, Tmt. Kasthuri. The service was held sufficient for the Counter Petitioner.

9. On 22-11-2023, the Petitioner represented by Thiru J. Babuji, Inspector of Police, Orleanpet Police Station, Puducherry, was present. The Counter Petitioner has failed to appear before the Court on hearing date.

10. 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 Mano @ Manohar (32) 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, arms, explosive cases, unlawful activities and disturbance to the public peace and order. There are 07 criminal cases were registered against him in various Police Stations.

11. On perusal of the records submitted by the Petitioner, I am of the opinion that if the Counter Petitioner is allowed to reside within the limits of my jurisdiction, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, damages to public and private properties, obstructions, annoyance, *etc.*, and thereby become a perennial source of threat to the community and disturb public peace and order. Such situations cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr.P.C. is invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

12. 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 Mano @ Manohar (32), son of Mathiazhagan, a resident of No. 1, VIII Cross, Sakthi Nagar, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of two

months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry. However, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 22nd day of November, 2023 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. 168/2023 of I.R. No. 59/2023 Under Section 144 of Cr.P.C./3194

ORDER

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

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

. . . Petitioner

Vs.

Thiru Ajithkumar (25),
S/o. Devaraj,
No. 04, Maraimalai Adigal Street,
Chinnaveerampatinam, 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 Ajithkumar (25), 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 Ajithkumar (25), son of Devaraj, a resident of No. 04, Maraimalai Adigal Street, Chinnaveerampatinam, 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, Puducherry, through the Superintendent of Police (South), Puducherry *vide* I.R.No. 59/2023 under section 144 of Cr.P.C., dated 01-07-2023. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as NDPS, theft, hurt by using lethal weapons. The Counter Petitioner has created panic in the minds of local inhabitants. 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. 71/2018 under section 20(b) NDPS Act r/w 8 (c) of NDPS Act, 1985 r/w 34 IPC, dated 25-05-2015 of Ariyankuppam Police Station, Puducherry.
2. Cr.No. 102/2018 under sections 356, 379 IPC r/w 34 IPC, dated 13-07-2018 of Ariyankuppam Police Station, Puducherry.
3. Cr.No. 146/2018 under sections 143, 448, 294 (b), 427, 324, 506(ii) IPC r/w 149 IPC, dated 07-10-2018 of Ariyankuppam Police Station, Puducherry.
4. IR.No. 43/2018 under section 107 Cr.P.C., dated 21-11-2018 of Ariyankuppam Police Station, Puducherry.
5. IR.No. 42/2019 under section 144 Cr.P.C., dated 16-03-2019 of Ariyankuppam Police Station, Puducherry.
6. IR.No. 38/2021 under section 110 Cr.P.C., dated 03-03-2021 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 is not having any job of his own but, he is leading a lavish life with the money earned through extortion. It is further, stated that the Counter Petitioner is not a law abiding person and he has involved in various offences by using knife to attack the victims and he has selling of ganja to youngsters. He uses money and muscle power to evade the process of law. Further, stated that he violated the conditions imposed by the criminal Courts and has scant respect to the judiciary and rule of law.

5. It is also stated in the I.R. that the Station House Officer has 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 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 NDPS, theft, hurt, *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, 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.

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 16-11-2023 to appear for the hearing on 30-11-2023

at 10.00 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 mother, Tmt. D. Kasthuri. The Service was held sufficient for the Counter Petitioner.

8. On 30-11-2023, the Petitioner Thiru J. Muruganandham, Sub-Inspector, Ariyankuppam Police Station, Puducherry and the Counter Petitioner were present. The Learned Counsel, Thiru Manikandan, filed vakalath and represented on behalf of the Counter Petitioner.

9. I have heard both the sides and carefully gone through all the available records in file placed by the Petitioner. In the Police Information Report/Petition, it is stated that the activities of Thiru Ajithkumar (25), 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 NDPS, theft, hurt and disturbance to the public peace and order. There are six criminal case was registered against him in the Ariyankuppam Police Station. I have also heard the oral submissions of the Learned Counsel for the Counter Petitioner. The Learned Counsel for the Counter Petitioner has stated that the Petitioner has filed this false case with an ulterior motive and prayed to dismiss this case.

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, theft, 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 section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Ajithkumar (25), son of Devaraj, a resident of No. 04, Maraimalai Adigal Street, Chinnaveerampatinam, 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.

At Puducherry, dated on this 30th day of November, 2023 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. 169/2023 of I.R. No. 60/2023 Under Section 144 of Cr.P.C./3191

ORDER

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

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

. . . Petitioner

Vs.

Thiru Kaviarasan (19),
S/o. Vazhumuni,
No. 15, Water Tank Street, Manavelly,
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 Kaviarasan (19), 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 Kaviarasan (19), son of Vazhumuni, a resident of No. 15, Water Tank Street, Manavelly, 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, Puducherry, through the Superintendent of Police (South), Puducherry *vide* I.R.No. 60/2023 under section 144 of Cr.P.C., dated 03-07-2023. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as murder by using lethal weapons. The Counter Petitioner has created panic in the minds of local inhabitants. 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. 97/2021 under sections 399, 402 IPC of Ariyankuppam Police Station, Puducherry.

2. IR.No. 24/2023 under sections 147, 148, 302 IPC r/w 149 IPC 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 is not having any job of his own but, he is leading a lavish life with the money earned through extortion. It is further, stated that the Counter Petitioner is not a law abiding person and he has involved in various offences by

using aruval, knife and explosive substances to attack the victims. He uses money and muscle power to evade the process of law. Further, stated that he violated the conditions imposed by the criminal Courts and has scant respect to the judiciary and rule of law.

5. It is also stated in the I.R. that the Station House Officer has 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 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 hurt, murder, *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, 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.

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 16-11-2023 to appear for the hearing on 30-11-2023 at 10.00 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 mother. The Service was held sufficient for the Counter Petitioner.

8. On 30-11-2023, 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 in file placed by the Petitioner. In the Police Information Report/Petition, it is stated that the activities of Thiru Kaviarasan (19), 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, hurt and disturbance to the public peace and order. There are 2 criminal cases were registered against him in Ariyankuppam Police Station, Puducherry.

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, theft, 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 section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Kaviarasan (19), son of Vazhumuni, a resident of No. 15, Water Tank Street, Manavelly, 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.

At Puducherry, dated on this 30th day of November, 2023 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

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

M.C. No. 170/2023 of I.R. No. 61/2023 Under Section 144 of Cr.P.C./3191

ORDER

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

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

. . . Petitioner

Vs.

Thiru Annad (34),
S/o. Iyyanar,
No. 39, Sudalai Street, Manavelly,
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 Annad (34), 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 Annad (34), son of Iyyanar, a resident of No. 39, Sudalai Street, Manavelly, 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, Puducherry, through the Superintendent of Police (South), Puducherry *vide* I.R.No. 61/2023 under section 144 of Cr.P.C., dated 07-07-2023. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime

such as hurt, lottery and PG act by using lethal weapons. The Counter Petitioner has created panic in the minds of local inhabitants. 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. 35/2017 under section 8 of PG Act of Ariyankuppam Police Station, Puducherry.
2. IR.No. 61/2013 under section 376 IPC of Ariyankuppam Police Station, Puducherry.
3. Cr.No. 74/2014 under sections 324, 506(ii) IPC r/w 34 IPC of Ariyankuppam Police Station, Puducherry.
4. Cr.No. 259/2013 under section 12 of PG Act of Ariyankuppam Police Station, Puducherry.
5. Cr.No. 89/2010 under sections 294, 323, 354 IPC r/w 34 IPC of Ariyankuppam Police Station, Puducherry.
6. Cr.No. 101/2019 under section 107 IPC of Ariyankuppam Police Station, Puducherry.
7. Cr.No. 28/2023 under section 5 r/w 7 (3) of Lotteries (Regulation) Act 1998 and 420, 468, 471 IPC r/w 34 IPC of Ariyankuppam Police Station, Puducherry.
8. Cr. No. 55/2023 under section 394 IPC r/w 34 IPC of Grand Bazaar 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 is not having any job of his own but, he is leading a lavish life with the money earned through extortion. It is further, stated that the Counter Petitioner is not a law abiding person and he has involved in various offences by using aruval, knife to attack the victims. He uses money and muscle power to evade the process of law. Further, stated that he violated the conditions imposed by the criminal Courts and has scant respect to the judiciary and rule of law.

5. It is also stated in the I.R. that the Station House Officer has 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 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 hurt, lottery cases, *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, 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.

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 16-11-2023 to appear for the hearing on 30-11-2023 at 10.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Ariyankuppam Police Station, Puducherry. The notice was received by the Counter Petitioner.

8. On 30-11-2023, the Petitioner Thiru J. Muruganandham, Sub-Inspector, Ariyankuppam Police Station, Puducherry and the Counter Petitioner were present. The Learned Counsel, Thiru. K. Karthikesan, filed vakalath and represented on behalf of the Counter Petitioner.

9. I have heard both the sides and carefully gone through all the available records in file placed by the Petitioner. In the Police Information Report/Petition, it is stated that the activities of Thiru Annad (34), 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 lottery, hurt 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 Learned Counsel for the Counter Petitioner. The Learned Counsel for the Counter Petitioner has stated that the Petitioner has filed this false case with an ulterior motive and prayed to dismiss this case.

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, theft, 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 section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Annad (34), son of Iyyanar, a resident of No. 39, Sudalai Street, Manavelly, 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.

At Puducherry, dated on this 30th day of November, 2023 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. 174/2023 of I.R. No. 68/2023 Under Section 144 of Cr.P.C./3195

ORDER

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

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

. . . Petitioner

Vs.

Thiru Sambath @ Dhanasambath (25),
S/o. Udayakumar,
No. 28, Chinna Irusampalayam Road,
Kuppusamy Thottam, 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 Sambath @ Dhanasambath (25), 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 Sambath @ Dhanasambath (25), son of Udayakumar, a resident of No. 28, Chinna Irusampalayam Road, Kuppusamy Thottam, 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, Puducherry, through the Superintendent of Police (South), Puducherry *vide* I.R.No. 68/2023 under section 144 of Cr.P.C., dated 25-07-2023. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as murder, robbery, modesty of women, hurt by using lethal weapons. The Counter Petitioner has created panic in the minds of local inhabitants. 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. 138/2019 under sections 120(b) 147, 148, 302 IPC, 3 of Explosive substance Act r/w 149 IPC.
2. Cr.No. 132/2022 under sections 294 (b), 354 IPC 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 is not having any job of his own but, he is leading a lavish life with the money earned through extortion. It is further, stated that the Counter

Petitioner is not a law abiding person and he has involved in various offences by using country made bombs, aruval, knife and explosive substances to attack the victims. He uses money and muscle power to evade the process of law. Further, stated that he violated the conditions imposed by the criminal Courts and has scant respect to the judiciary and rule of law.

5. It is also stated in the I.R. that the Station House Officer has 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 is hatching plans to threaten the business people in the Puducherry urban and rural areas and extort money from them by threatening. 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, 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.

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 16-11-2023 to appear for the hearing on 30-11-2023 at 10.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Ariyankuppam Police Station, Puducherry. The notice was received by the Counter Petitioner.

8. On 30-11-2023, 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 Sambath @ Dhanasambath (25), is in such a manner that he may cause breach of peace and create a problem of law and order and public tranquility. He has involved in crimes such as murder, explosive, hurt and disturbance to the public peace and order. There are two criminal cases were registered against him in the Ariyankuppam 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 and prayed to dismiss this case.

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, 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 Sambath @ Dhanasambath (25), son of Udayakumar, a resident of No. 28, Chinna Irusampalayam Road, Kuppusamy Thottam, 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.

At Puducherry, dated on this 30th day of November, 2023 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).
