



# புதுச்சேரி மாநில அரசிதழ்

## La Gazette de L'État de Poudouchéry

### The Gazette of Puducherry

#### PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

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அதிகாரம் பெற்ற  
வெளியீடு

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No.		Poudouchéry	Jeudi	23	Février	2023 (4 Phalguna 1944)
No.		Puducherry	Thursday	23rd	February	2023

IN THE COURT OF SUBDIVISIONAL MAGISTRATE (NORTH)  
AT PUDUCHERRY

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

M.C. No. 02/2023 of I.R. No. 59/2022 Under Section 144 of Cr.P.C./479

ORDER

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

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

.. Petitioner

Vs.

Thiru Sunil @ Kishorekumar (20),  
S/o. Vengadesan @ Iyyappan,  
No. 06, III Cross,  
Attupatti,  
Ambethkar 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 Sunil @ Kishorekumar (20), to prevent imminent danger to human lives and properties, and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Sunil @ Kishorekumar (20), son of Vengadesan @ Iyyappan, a resident of No. 06, III Cross, Attupatti, Ambethkar 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. 59/2022 under section 144 of Cr.P.C., dated 11-12-2022. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crimes such as murder, attempt to murder, extortion, explosive cases and disturbance to the public tranquility and order. As a result, the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. 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. 124/2019 under sections 294(b), 324, 506(ii) IPC r/w 34 IPC, dated 10-09-2019 of Orleanpet Police Station, Puducherry – Pending Trial.
2. Cr.No. 202/2020 under sections 341, 302 IPC r/w 34 IPC @ 147, 148, 341, 302 IPC r/w 149 IPC, dated 04-10-2020 of Orleanpet Police Station, Puducherry – Pending Trial.
3. Cr.No. 41/2021 under sections 294(b), 506(ii) IPC @ 294 (b), 506 (ii), 116 IPC & 27(1) (a) of Arms Act r/w 34 IPC, dated 21-04-2021 of Orleanpet Police Station, Puducherry – Under Investigation.
4. I.R.No. 46/2021 under section 107 Cr.P.C., of Orleanpet Police Station, Puducherry.
5. Cr.No. 153/2021 under sections 147, 148, 307 IPC & 3 of Explosive Substances Act, 1908 r/w 149 IPC, dated 04-07-2021 of Odiansalai Police Station, Puducherry – Under Investigation.
6. Cr.No. 77/2022 under sections 341, 324, 323, 506 (ii) IPC r/w 34 IPC of Mudaliarpet Police Station, Puducherry – Pending Trial.
7. Cr.No. 122/2022 under sections 20 (b) (ii) A r/w 8 (c) of NDPS Act, 1985 & 77 Juvenile Justice Act, dated 13-06-2022 of Orleanpet Police Station, Puducherry – Pending Trial.
8. Cr.No. 284/2022 under sections 294 (b), 324, 506 (ii) IPC of Orleanpet Police Station, Puducherry – Under Investigation.
9. Cr.No. 253/2022 under sections 294 (b), 323, 506 (ii) IPC r/w 34 IPC of Orleanpet Police Station, Puducherry – Under Investigation.

4. The Petitioner further stated that the Counter Petitioner is having contact with more number of accused persons and intentionally engaged persons by hiring them by providing liquors and insisting them to create problems with their opposite groups. But, the activities of the Counter Petitioner would provoke enmity between the groups as earlier.

5. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner is desperate and is in dire need of money to maintain his family and 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 riot, affray/criminal trespass, criminal intimidation, assault, obstructions and annoyance, damages to the private properties, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Orleanpet Police Station, Puducherry, has prayed to invoke provisions under section 144 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 09-01-2023 to appear for the hearing on 19-01-2023 at 10.00 a.m. and further hearing on 25-01-2023. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Orleanpet Police Station, Puducherry.

9. On 25-01-2023, the Petitioner represented by Thiru Arulkumar, Assistant Sub-Inspector, Orleanpet Police Station, Puducherry, present and 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 Sunil @ Kishorekumar (20), is in such a manner that he may cause breach of peace and create a problem of law and order, and public tranquility. He has involved in crimes such as murder, attempt to murder, explosive substance case, assault and disturbance to the public peace and order. There are 9 criminal cases were registered against him in various Police Stations.

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

12. And whereas, I am satisfied that you are an habitual offender, Wherein, it necessitates to maintain law and order, and the given time constraint, serving of notice to you as provided under the Code could not be followed and that your activities will endanger human life and properties, and your presence is a threat to public tranquility in my Subdivision. Therefore, an immediate action is required for curtailing your illegal activities in the locality;

13. And whereas, in the view of urgency of matter this is *ex parte*;

14. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of powers conferred under the section 144(2) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Sunil @ Kishorekumar (20), son of Vengadesan @ Iyyappan, a resident of No. 06, III Cross, Attupatti, Ambethkar 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 25th day of January, 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. 04/2023 of I.R. No. 63/2022 Under Section 144 of Cr.P.C./478**

**ORDER**

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

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

. . . Petitioner

Vs.

Thiru Chandiran @ Devachandiran (36),  
S/o. Devaraj (*late*),  
No. 47, Ambethkar Nagar,  
Attupatti,  
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Orleanpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Chandiran @ Devachandiran (36), 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 Chandiran @ Devachandiran (36), son of Devaraj (*late*), a resident of No. 47, Ambethkar Nagar, Attupatti, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Orleanpet Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R.No. 63/2022 under section 144 of Cr.P.C., dated 28-12-2022. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crimes such as explosive cases, murder, attempt to murder and disturbance to the public tranquility and order. As a result, the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. 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. 209/2006 under sections 324, 506(ii) IPC – Acquitted
2. Cr.No. 167/2007 under section 25(1) (a) of Arms Act – Acquitted
3. Cr.No. 140/2008 under sections 294, 323, 325, 506(ii) IPC – Pending Trial.
4. Cr.No. 56/2011 under sections 324, 506(ii) IPC – Pending Trial.
5. Cr.No. 24/2012 under section 12 of PG Act – Convicted.
6. Cr.No. 19/2015 under section 34 B IX of PP Act – Convicted.
7. Cr.No. 65/2015 under sections 323, 354, 506(ii) IPC – Pending Trial.
8. Cr.No. 74/2016 under sections 447, 427 r/w 34 IPC – Pending Trial.
9. Cr.No. 107/2019 under sections 147, 148, 302, IPC & Sec 3 of Explosive Act, 1908 r/w 149 IPC, dated 03-09-2019, Mudalirapet Police Station, Puducherry – Pending Trial.
10. Cr.No. 69/2021 under section 269 IPC r/w 3 of EDA 1897, dated 28-05-2021 – Pending Trial.
11. Cr.No. 284/2022 under sections 294(b), 324, 506 (ii) IPC r/w 34 IPC of Orleanpet Police Station, Puducherry – Under Investigation.

4. The Petitioner further stated that the Counter Petitioner is having contact with more number of accused persons and intentionally engaged persons by hiring them by providing liquors and insisting them to create problems with their opposite groups. But, the activities of the Counter Petitioner would provoke enmity between the groups as earlier.

5. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner 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. It is also stated that the Counter Petitioner had violated the conditions imposed by the Criminal Courts.

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 09-01-2023 to appear for the hearing on 19-01-2023 at 10.00 a.m. and subsequent hearings on 25-01-2023 and 09-02-2023. 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 09-02-2023, the Petitioner represented by Thiru Arul Kumar, Assistant Sub-Inspector, Orleanpet Police Station, Puducherry and Counter Petitioner were present.

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 Chandiran @ Devachandiran (36), 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, hurt, explosive cases and disturbance to the public peace and order. There are 11 criminal cases were registered against him in various Police Stations.

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

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 Chandiran @ Devachandiran (36), son of Devaraj (*late*), a resident of No. 47, Ambethkar Nagar, Attupatti, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of two months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry. However, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on 09th day of February, 2023 pronounced in the open Court.

**M. KANDASAMY,**  
Subdivisional Magistrate (North).

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