



புதுச்சேரி மாநில அரசிதழ்

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PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

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அதிகாரம் பெற்ற
வெளியீடு

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IN THE COURT OF SUBDIVISIONAL MAGISTRATE AT KARAIKAL

M.C. No. 206/2022,

I.R. No. 24/2022 of 908, dated 28-12-2022

Neravy Police Station, Karaikal, dated 16-12-2022.

Prohibitory Order Under Section 144 (i), (ii) and (iii) of Cr. P.C.

Whereas, one I.R was filed by the Station House Officer, Neravy Police Station, Karaikal, *vide* I.R. No. 24/2022, dated 16-12-2022, under section 144 (i) (ii) & (iii) of Cr.P.C. in this Court. The information laid under section 144 of Cr. P.C. goes on to narrate the criminal activities of the Counter Petitioner namely Ezhilarasi @ Meera (40), d/o. Dharmalingam, residing at Plot. No. 54 & 55, V Cross Extension, Nethaji Nagar, Karaikal, with in the jurisdiction of this Court. She has been reportedly indulging in serious offences like organized murders, extortion, hurt, criminal intimidation and thereby became a perennial source of threat to the community and disturbance to the public tranquility. She is reported to be a notorious rowdy element and is being watched by the Police constantly in the interest of public order.

2. Whereas, the information laid by the Station House Officer, Neravy Police Station, Karaikal, under section 144 (i) (ii) (iii) Cr.P.C. with reference to I.R. No. 24/2022, dated 16-12-2022 in which the record of previous Criminal cases registered against the Counter Petitioner has been listed out in detail (copy enclosed).

3. The Petitioner further submits that the Counter Petitioner being a notorious criminal doesn't bother of discipline of society, ignoring the Police warnings. She started an organisation named as "SRR Arakkattalai" (எஸ்.ஆர்.ஆர். அறக்கட்டளை) and the same is functioning with her hooligans and criminal associates at her house. She had been involving in many illegal activities with the money and muscle power (hooligans & criminal associates) within the banner of her above organization. The facts and circumstances elicited in supra, conferred on the petitioner to arrive at a conclusion that this Counter Petitioner is a hard core criminal and detrimental to the peace and tranquility of public life and the security of the public which is at stake due to her terrible acts. This Counter Petitioner and her active associates are waiting to extort money from big shots, business peoples and rich persons, etc., While, all criminal offences as listed above in the I.R. No. 24/2022, dated 16-12-2022, under section 144 (i) (ii) & (iii) of Cr. P.C. are liable for penal action in nature, whereas, the provision of 144 of Cr. P.C. is preventive.

4. The Petitioner has submitted that on 16-12-2022 while himself being Thiru S. Perumal, Sub-Inspector of Police being the Station House Officer, Neravy Police Station, Karaikal, was performing rounds in his Police Station limits, he received reliable information that the Counter Petitioner namely Ezhilarasi @ Meera along with her second husband namely Vive @ Vikram @ Vikraman having developed rivalry with their contemporary criminals dubiously active with in the Police Station limits and hence, plotted conspiracy to eliminate each other on fear of retaliation by involving into the heinous criminal activities which are likely to create problem in Neravy Police Station limits and in the entire Karaikal District . As per information received, the Station House Officer, Neravy Police Station, Karaikal, had reason to believe that the above Counter Petitioner would indulge in acts which are dangerous to the human life and properties and also would cause disturbance to the peace and public tranquility in the area under the jurisdiction of his Police Station and also in the areas under the jurisdiction of this Court. Hence, by registering one I.R. No. 24/2022, dated 16-12-2022, under sections 144 (i) (ii) & (iii) of Cr.P.C., the Station House Officer prayed before this Court that the Counter Petitioner may be ordered not to enter in Karaikal region for a period of six months except on days when she is summoned to attend the cases in any other Court of Law in the Jurisdiction of Karaikal District so as to prevent danger to the human life and properties and disturbance to the public tranquility and order in the Karaikal District by invoking the provisions under sections 144 (i), (ii) & (iii) of Cr. P.C.

5. Hence, I, M.ADHARSH, Subdivisional Magistrate, Karaikal, after going through the information laid before me, ordered the Counter Petitioner Ezhilarasi @ Meera (40), d/o. Dharmalingam to appear before me on 23-12-2022 at 15.00. hrs. to show cause as to why Orders of this Court under section 144 (i), (ii) & (iii) of Cr. P.C. shall not be passed on her to restrain her from entering into the entire region of Karaikal District which is under the jurisdiction of this Court, for a period of 2 (two) months or sixty days.

6. Whereas, the Petitioner Police from Neravy Police Station, Karaikal, returned the show cause notice to this Court on 23-12-2022 as to have served the same to the Mother of the Counter Petitioner with an acknowledgment signed by

one Tmt. Baby at 20.00 hrs. on 22-12-2022, while it was stated by the Police before this Court that the Counter Petitioner was not found at her official residence. Hence, she was called absent before this Court on 23-12-2022.

7. Whereas, I am satisfied that based on the information placed before me and other facts which are brought out through the information laid by the Station House Officer, Neravy Police Station, Karaikal, that if, the Counter Petitioner is allowed to move freely within the jurisdiction of Karaikal District, then, her free movement would cause fear and apprehension in the minds of the general public. It is also clear that the Counter Petitioner has scant regard for the criminal justice system and the Rule of Law and refuses to co-operate with the Police in their investigations. Therefore, based on the report laid before me, 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 private properties, obstructions, annoyance, extortion and thereby become a perennial source of threat to the community and disturb public peace and order. Hence, I am satisfied that this situation 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. needs to be invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and to uphold public peace and order.

8. Whereas, I am satisfied that the Counter Petitioner is an habitual offender, wherein, it necessitates to maintain law and order, and given the time constraint, serving of notice to her as provided under the Code could not be followed and that her activities will endanger human life and properties and the presence of the Counter Petitioner is a threat to public tranquility in my Subdivision. Further, the Station House Officer has also reported that the Counter Petitioner having developed rivalry with her contemporary Criminals dubiously active with in the Police Station limits and hence, plotted a conspiracy to eliminate each other on fear of retaliation by involving into the heinous criminal activities which are likely to create problem in Neravy Police Station limits and in the entire Kariakal District . Therefore, immediate action is required for curtailing the illegal activities of the Counter Petitioner in the locality and whereas, in view of urgency of the matter, this is *ex parte*.

9. Hence, I, M.ADHARSH, Subdivisional Magistrate, Karaikal, after going through the information laid before me and also after satisfying myself of the need for prohibition of certain activities of the Counter Petitioner, doth hereby pass prohibitory Orders to the Counter Petitioner Ezhilarasi @ Meera (40), D/o. Dharmalingam under section 144 (2) Cr. P.C. to restrain her not to enter into the entire region of Karaikal District which is under the jurisdiction of this Court, 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 she is summoned to attend the cases in any of the Courts in Karaikal.

Given under my hand and seal of this Court, on this 28th day of December 2022 at Karaikal.

M. ADHARSH,
Subdivisional Magistrate.

IN THE COURT OF SUBDIVISIONAL MAGISTRATE AT KARAİKAL

**M.C. No. 207/2022,
I.R. No. 25/2022 of 919, dated 20-12-2022
Neravy Police Station, Karaikal, dated 16-12-2022.**

Prohibitory Order Under Section 144 (i), (ii) and (iii) Cr. P.C.

Whereas, one I.R was filed by the Station House Officer, Neravy Police Station, Karaikal, *vide* I.R. No. 25/2022, dated 16-12-2022, under section 144 (i) (ii) & (iii) Cr. P.C. in this Court. The information laid under section 144 Cr. P.C. goes on to narrate the criminal activities of the Counter Petitioner namely, Vive @ Vikram @ Vikraman (39), S/o. Dhanapal @ Jaganathan, residing at Plot. No. 54 & 55, Vth Cross Extension, Nethaji Nagar, Karaikal, with in the jurisdiction of this Court. He has been reportedly indulging in serious offences like organized murders, extortion, hurt, criminal intimidation and thereby became a perennial source of threat to the community and disturbance to the public tranquility. He is reported to be a notorious Rowdy element and is being watched by the Police constantly in the interest of Public order .

2. Whereas the information laid by the Station House Officer, Neravy Police Station, Karaikal, under section 144 (i) (ii) (iii) Cr. P.C. with reference to I.R. No. 25/2022, dated 16-12-2022 in which the record of previous Criminal cases registered against the Counter Petitioner has been listed out in detail (copy enclosed).

3. The Petitioner further submits that the Counter Petitioner is none other than the strong supporter and reliable associate of one gangster namely Ezhilarasi of Nethaji Nagar, with in the Neravy Police Station limits. She is being guided and guarded by the Counter Petitioner Vikraman and hence, they are staying together at the same residence of No. 54 & 55, V-th Cross Extension, Nethaji Nagar, Karaikal, falling with the Neravy Police Station limits. He had been involving in many illegal activities with the money and muscle power (choolingans & criminal associates) with in the banner of her above organization in the name and style as "SRR Arakkattalai (எஸ்.ஆர். ஆர். அறக்கட்டளை)". The facts and circumstances elicited in supra, conferred on the petitioner to arrive at a conclusion that, this counter petitioner is a hard core criminal and detrimental to the peace and tranquility of public life and the security of the public which is at stake due to his terrible acts. This Counter Petitioner and his active associates are waiting to extort money from big shots, business peoples and rich persons, *etc.* While all criminal offences as listed above in the I.R. No. 25/2022, dated 16-12-2022, under section 144 (i) (ii) & (iii) Cr. P.C. are liable for penal action in nature, whereas the provision of 144 Cr. P.C. is preventive.

4. The Petitioner has submitted that on 16-12-2022 while himself being Thiru S. Perumal, Sub-Inspector of Police being the Station House Officer, Neravy Police Station, Karaikal, was performing rounds in his Police Station limits, he received reliable information that the Counter Petitioner namely Vive @ Vikram @ Vikraman along with Ezhilarasi @ Meera having developed rivalry with their contemporary criminals dubiously active with in the Police Station limits and hence, plotted a conspiracy to eliminate each other on fear of retaliation by involving into the heinous criminal activities, which are likely to create problem in Neravy Police Station limits and in the entire Karaikal District. As per information received, the Station House Officer, Neravy Police Station, Karaikal, had reason to believe that the above Counter Petitioner would indulge in acts which are dangerous to the human life and properties and also would cause disturbance to the peace and public tranquility in the area under the jurisdiction of his Police Station and also in the

areas under the jurisdiction of this Court. Hence, by registering one I.R. No. 25/2022, dated 16-12-2022, under section 144 (i) (ii) & (iii) Cr. P.C. , the Station House Officer prayed before this Court that the Counter Petitioner may be ordered not to enter in Karaikal Region for a period of Six months except on days when he is summoned to attend the cases in any other Court of Law in the Jurisdiction of Karaikal District so as to prevent danger to the human life and properties, and disturbance to the public tranquility and order in the Karaikal District by invoking the provisions under section 144 (i), (ii) & (iii) Cr. P.C.

5. Hence, I, M.ADHARSH, Subdivisional Magistrate, Karaikal, after going through the information laid before me, ordered the Counter Petitioner Vive @ Vikram @ Vikraman to appear before me on 23-12-2022 at 15.00. hrs. to show cause as to why the Orders of this Court under section 144 (i), (ii) & (iii) Cr. P.C. shall not be passed on him to restrain him from entering into the entire Region of Karaikal District which is under the jurisdiction of this Court, for a period of 2 (two) months or sixty days.

6. Whereas, the Petitioner Police from Neravy Police Station, Karaikal, returned the show cause Notice to this Court on 23-12-2022 as to have served the same to the Mother-in-law of the Counter Petitioner with an acknowledgement signed by one Tmt. Baby at 20.00 hrs. on 22-12-2022, while it was stated by the Police before this Court, that the Counter Petitioner was not found at his official residence. Hence, he was called absent before this Court on 23-12-2022.

7. The Station House Officer, Neravy Police Station further submits that the Counter Petitioner being a notorious criminal does not respect the Rule of Law, but rather actively breaks the law. The Station House Officer has also reported that witnesses of his crimes are refusing to volunteer information against him due to fear of retaliation and revenge.

8. Whereas, the Station House Officer further submits that since the activities of the Counter Petitioner is detrimental to the public order, it is found to be essential that the Counter Petitioner be restrained from entering in to Karaikal District immediately under the provisions of 144 of Cr.P.C. or else there is every likelihood that the counter petitioner would indulge in wrongful activities disturbing the public order. In view of the above reasons, the counter petitioner Vive @ Vikram @ Vikraman has become dangerous and desperate that his presence in Karaikal District is detrimental to the safety and security of the community and to the maintenance of public order. The Counter petitioner has scant regard to the societal values and the laws of the land.

9. Whereas, I am satisfied that based on the information placed before me and other facts which are brought out through the information laid by the Station House Officer, Neravy Police Station, Karaikal, that if, the Counter Petitioner is allowed to move freely within the jurisdiction of Karaikal District, then his free movement would cause fear and apprehension in the minds of general public. It is also clear that the Counter Petitioner has scant regard for the criminal justice system and the Rule of Law and refuses to co-operate with the Police in their investigations.

10. Therefore, based on the report laid before me, 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 private properties, obstructions, annoyance, extortion and thereby become a perennial source of threat to the community and disturb public peace and order.

11. Hence, I am satisfied that this situation 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. needs to be invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and to uphold public peace and order.

12. Whereas, I am satisfied that the Counter Petitioner is an habitual offender, wherein, it necessitates to maintain law and order, and given the time constraint, serving of notice to him as provided under the Code could not be followed and that his activities will endanger human life and properties. Further, the Station House Officer has also reported that the Counter Petitioner having developed rivalry with their contemporary Criminals dubiously active with in the Police station limits and hence, plotted a conspiracy to eliminate each other on fear of retaliation by involving into the heinous criminal activities, which are likely to create problem in Neravy Police Station limits and in the entire Karaikal District . Hence, curtailing the illegal activities of the Counter Petitioner in view of urgency of the matter, this is *ex-parte*.

13. Now, therefore, I, M.ADHARSH, Subdivisional Magistrate, Karaikal, after going through the information laid before me and also after satisfying myself of the need for prohibition of certain activities of the Counter Petitioner, doth hereby pass prohibitory Orders to the Counter Petitioner Vive @ Vikram @ Vikraman (39), S/o. Dhanabal @ Jaganathan under section 144 (2) Cr. P.C. to restrain him not to enter into the entire region of Karaikal District which is under the jurisdiction of this Court, for a period of two months or 60 days 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 he is summoned to attend the cases in any of the Courts in Karaikal.

Given under my hand and seal of this Court, on this 28th day of December 2022.

M. ADHARSH,
Subdivisional Magistrate.
