



புதுச்சேரி மாநில அரசிதழ்

La Gazette de L'État de Poudouchéry

The Gazette of Puducherry

PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

EXTRAORDINARY

அதிகாரம் பெற்ற
வெளியீடு

Publiée par
Autorité

Published by
Authority

எண்	புதுச்சேரி	திங்கட்கிழமை	2023 ௨௩	சூன் மீ	12 ௨
No. } 69	Poudouchéry	Lundi	12	Juin	2023 (22 Jyaistha 1945)
No. }	Puducherry	Monday	12th	June	2023

IN THE COURT OF SUBDIVISIONAL MAGISTRATE (NORTH) AT PUDUCHERRY

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

M.C. No. 53/2023 of I.R. No. 01/2023 Under Section 144 of Cr.P.C./1629

ORDER

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

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

. . . Petitioner

Vs.

Thiru Manikandan @ Bomb Mani (34),
S/o. Velu,
No.26, 5th Cross Street,
JJ Nagar, Moolakulam,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by Station House Officer, Thiru D. Murugan, Sub-Inspector, Reddiarpalayam Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Manikandan @ Bomb Mani (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 Manikandan @ Bomb Mani (34), son of Velu, a resident of No. 26, 5th Cross Street, JJ Nagar, Moolakulam, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Reddiarpalayam Police Station, Puducherry, with the recommendation of the Superintendent of Police (North), Puducherry *vide* I.R.No. 01/2023 under section 144 of Cr.P.C., dated 28-03-2023. Therein it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as attempt to murder, extortion, hurt, intimidation, riot, dacoity, affray and disturbance to the public tranquillity and order. The Counter Petitioner has created panic in the minds of local inhabitants and the business community in the city limit. 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. 151/2011 under sections 324, 506(ii) IPC r/w 34 IPC @ 147, 148, 324, 506(ii) IPC r/w 149 IPC of Reddiarpalayam Police Station, Puducherry, dated 15-08-2011.
2. Cr.No. 19/2012 under section 27 (2) of Arms Act & 506 (ii) IPC of Reddiarpalayam Police Station, Puducherry, dated 26-01-2012.
3. Cr.No. 152/17 under sections 294(b), 392 r/w 34 IPC, dated 27-11-2017 of Reddiarpalayam Police Station, Puducherry.
4. Cr.No. 77/18 under sections 294(b), 324, 506(ii) r/w 34 IPC, dated 20-06-2018 of Reddiarpalayam Police Station, Puducherry.
5. Cr.No. 111/2021 under sections 294(b), 323, 324, 506 (ii) IPC r/w 34 IPC, dated 01-11-2021 of Reddiarpalayam Police Station, Puducherry.
6. Cr.No. 28/2023 under sections 27 (i) of Arms Act 1959 & 506 (ii) IPC & 34 E (i) of PP Act, dated 17-02-2023 of Reddiarpalayam Police Station, Puducherry.
7. Cr.No. 117/2011 under sections 147, 148, 307 IPC r/w 149 IPC and 3 (a) of Explosive Substances Act, 1908 of Muthialpet Police Station, Puducherry.
8. Cr.No. 491/2011 under section 395 IPC of Grand Bazaar Police Station, Puducherry.
9. Cr.No. 48/2013 under sections 341, 324, 506(ii) IPC r/w 34 IPC of Mudaliarpet Police Station, Puducherry.
10. Cr.No. 105/13 under sections 307, 387 r/w 34 IPC of D'Nagar Police Station, Puducherry.

11. Cr.No. 109/2014 under sections 294(b), 506(ii) IPC, dated 30-09-2014 of Bahour Police Station, Puducherry.
12. Cr.No. 218/2012 under sections 387, 427 IPC r/w 34, dated 26-07-2012 & 3 of Explosive Substances Act, 1908 of Orleanpet 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 has involved in various offences by using aruval, knife and other dangerous weapons to attack the victims.

5. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner are hatching plans to threaten the business people in the Puducherry urban area and extort money from them by threatening and 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 Puducherry limits, it is apprehended that he would continue to indulge in serious offences like murder, attempt to murder, extortion, kidnapping, 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, Reddiarpalayam 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.

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 28-04-2023 to appear for the hearing on 16-05-2023 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. The notice was received by the Counter Petitioner.

8. On 16-05-2023, the Petitioner Thiru D. Murugan, Sub-Inspector, Reddiarpalayam 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 Manikandan @ Bomb Mani (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 murder, unlawful activities and disturbance to the public peace and order. There are 12 criminal cases were registered against him in various Police Stations.

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 Manikandan @ Bomb Mani (34), son of Velu, a resident of No. 26, 5th Cross Street, JJ Nagar, Moolakulam, 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 16th day of May, 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. 54/2023 of I.R. No. 02/2023 Under Section 144 of Cr.P.C./1625

ORDER

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

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

. . . Petitioner

Vs.

Thiru Manibalan @ Mani (31),
S/o. Nagappan,
No. 80, 8th Cross,
JJ Nagar, Moolakulam,
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 Manibalan @ Mani, 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 Manibalan @ Mani (31), son of Nagappan, a resident of No. 80, 8th Cross, JJ Nagar, Moolakulam, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Reddiarpalayam Police Station, Puducherry, with the recommendation of the Superintendent of Police (North), Puducherry *vide* I.R.No. 02/2023 under section 144 of Cr.P.C., dated 29-03-2023. Therein it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as murder, attempt to murder, hurt, threatening and disturbance to the public tranquillity and order. The Counter Petitioner has created panic in the minds of local inhabitants. 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. 151/2011 under sections 147, 148, 324, 506(ii) IPC r/w 149 IPC, dated 15-08-2011 of Reddiarpalayam Police Station, Puducherry.
2. Cr.No. 295/2011 under section 25 (1-A) of Arms Act, dated 06-12-2011 of Reddiarpalayam Police Station, Puducherry.
3. Cr.No. 05/2013 under sections 147, 148, 302 IPC r/w 149 IPC, dated 10-01-2013 of Reddiarpalayam Police Station, Puducherry.
4. Cr.No. 69/2016 under sections 294 (b) 506(ii) r/w 34 IPC, dated 24-06-2016 of Reddiarpalayam Police Station, Puducherry.
5. Cr.No. 258/2017 under sections 27(1) of Arms Act and 506(ii) IPC, dated 24-10-2017 of Orleanpet Police Station, Puducherry.
6. Cr.No. 94/2018 under sections 25 (1-A) of Arms Act, dated 21-09-2018 of Muthialpet Police Station, Puducherry.
7. Cr.No. 49/2019 under sections 147, 148, 341, 324, 307 r/w 149 IPC, dated 22-04-2019 of Ariyankuppam Police Station, Puducherry.

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

5. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner are hatching plans to threaten the business people in the Puducherry urban area and extort money from them by threatening and to meet expenses in connection with the trial in the pending criminal cases against him.

6. The Petitioner further, submitted that if, the Counter Petitioner is allowed to reside in Puducherry limits, it is apprehended that he would continue to indulge in serious offences like murder, attempt to murder, 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, Reddiarpalayam Police Station 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.

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 28-04-2023 to appear for the hearing on 16-05-2023 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. The notice was received by the Counter Petitioner.

8. On 16-05-2023, the Petitioner Thiru D. Murugan, Sub-Inspector, Reddiarpalayam Police Station, Puducherry and the Counter Petitioner were present.

9. 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 Manibalan @ Mani, is in such a manner that he may cause breach of peace and create a problem of law and order and public tranquility. He has involved in crimes such as murder, assault, unlawful activities and disturbance to the public peace and order. There are 7 criminal cases were registered against him in various Police Stations. 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. 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;

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 Manibalan @ Mani (31), son of Nagappan, a resident of No. 80, 8th Cross, JJ Nagar, Moolakulam, 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 16th day of May, 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. 55/2023 of I.R. No. 03/2023 Under Section 144 of Cr.P.C./1628

ORDER

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

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

. . . Petitioner

Vs.

Thiru Jayam Soosai Raj @ Muttai Soosai Raj
@ Soosairaj (33)
S/o. Yacob,
No. 45, Kamban Nagar Main Road,
Reddiyarpalayam,
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 Jayam Soosai Raj @ Muttai Soosai Raj @ Soosairaj (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 Jayam Soosai Raj @ Muttai Soosai Raj @ Soosairaj (33), son of Yacoob, a resident of No. 45, Kamban Nagar Main Road, Reddiyarpalayam, 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. 03/2023 under section 144 of Cr.P.C., dated 30-03-2023. 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, Arms Act, affray and disturbance to the public tranquillity and order. The Counter Petitioner is leading lavish life with money earned through extortion and he 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. 222/2007 under sections 324, 323, 354 IPC r/w 34 IPC, dated 13-09-2007 of Reddiyarpalayam Police Station, Puducherry.
2. Cr.No. 156/2008 under sections 147, 148, 341, 307, 324, 323 IPC, dated 11-07-2008 of Reddiyarpalayam Police Station, Puducherry.

3. Cr.No. 290/2011 under section 25(1-A) of Arms Act, dated 03-12-2011 of Reddiarpalayam Police Station, Puducherry.
4. Cr. No. 16/2012 under sections 147, 148, 341, 302 IPC r/w 149 IPC, dated 20-01-2012 of Reddiarpalayam Police Station, Puducherry.
5. Cr.No. 181/2012 under section 27 of Arms Act & 506(ii) IPC, dated 04-09-2012 of Reddiarpalayam Police Station, Puducherry.
6. Cr.No. 226/2012 under section 25 (1-A) of Arms Act, dated 01-12-2012 of Reddiarpalayam Police Station, Puducherry.
7. Cr.No. 91/2013 under sections 399, 402 IPC, dated 11-07-2013 of Reddiarpalayam Police Station, Puducherry.
8. Cr.No. 90/2013 under sections 147, 450, 449, 342, 332, 506(2) r/w 149 IPC and 27 of Arms Act of Yanam Police Station, Yanam.
9. Cr.No. 96/2014 under sections 302 IPC r/w 34 IPC @ 148, 302, 120-B, 109 IPC r/w 149 IPC, dated 13-08-2014 of Mettupalayam Police Station, Puducherry.
10. Cr.No. 68/2016 under sections 294(b), 323, 506(ii) IPC r/w 34 IPC of Reddiarpalayam Police Station, Puducherry.
11. Cr.No. 167/2016 under sections 294(b), 323, 506(ii) IPC r/w 34 IPC, dated 31-12-2016 of Reddiarpalayam Police Station, Puducherry.
12. Cr. No. 146/2017 under section 25(1) Arms Act, dated 12-11-2017 of Reddiarpalayam Police Station, Puducherry.
13. Cr.No. 125/2020 under sections 294(b), 324, 506(ii) r/w 34 IPC, dated 22-06-2020 of Reddiarpalayam Police Station, Puducherry.
14. Cr.No. 93/2022 under sections 294(b) IPC, 34 B IX of PP Act and 506(ii) IPC and 25 (i-B), (b) of Arms Act 1959, dated 21-07-2022 of Reddiarpalayam Police Station, Puducherry.
15. Cr.No. 33/2023 under section 27 (i) of Arms Act 1959, dated 26-02-2023 of Reddiarpalayam Police Station, Puducherry.

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

5. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner are hatching plans to threaten the business people in the Puducherry urban area and extort money from them by threatening and to meet expenses in connection with the trial in the pending criminal cases against him.

6. The Petitioner further, submitted that if, Counter Petitioner is allowed to reside in Puducherry limits, it is apprehended that he would continue to indulge in serious offences like murder, 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, Reddiarpalayam 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.

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 28-04-2023 to appear for the hearing on 16-05-2023 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. The notice was received by the Counter Petitioner.

8. On 16.05.2023, the Petitioner Thiru. D. Murugan, Sub-Inspector, Reddiarpalayam 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 Soosairaj @ Jayam Soosai Raj @ Motta Raj, is in such a manner that he may cause breach of peace and create a problem of law and order and public tranquility. He has involved in crimes such as murder, assault, unlawful activities and disturbance to the public peace and order. There are 15 criminal cases were registered against him in various Police Stations.

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, 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 Soosairaj @ Jayam Soosai Raj @ Motta Raj (33), son of Yacoob, a resident of No. 45, Kamban Nagar Main Road, Reddiarpalayam, 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 16th day of May, 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. 56/2023 of I.R. No. 04/2023 Under Section 144 of Cr.P.C./1622

ORDER

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

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

. . . Petitioner

Vs.

Thiru Prakash @ Gundu Prakash (25),
S/o. Palanivel,
10th Cross,
JJ Nagar, Moolakulam,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by Station House Officer, Thiru D. Murugan, Sub-Inspector, Reddiarpalayam Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Prakash @ Gundu Prakash, 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 Prakash @ Gundu Prakash, son of Palanivel, a resident of 10th Cross, JJ Nagar, Moolakulam, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Reddiarpalayam Police Station, Puducherry, with the recommendation of the Superintendent of Police (North), Puducherry *vide* I.R.No. 04/2023 under section 144 of Cr.P.C., dated 31-03-2023. Therein it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as murder, attempt to murder, hurt, threatening and disturbance to the public tranquillity and order. The Counter Petitioner has created panic in the minds of local inhabitants. 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. 07/2011 under sections 323, 324, 506(ii) r/w 34 IPC, dated 12-01-2011 of Reddiarpalayam Police Station, Puducherry.
2. Cr.No. 125/2011 under section 326 r/w 34 IPC @ 307 r/w 34 IPC, dated 25-06-2011 Reddiarpalayam Police Station, Puducherry.
3. Cr.No. 16/2012 under sections 147, 148, 341, 302 IPC r/w 149 IPC, dated 20-01-2012 of Reddiarpalayam Police Station, Puducherry.

4. Cr.No. 90/2013 under sections 147, 450, 449, 342, 332, 506(2) r/w 149 IPC and 27 of Arms Act of Yanam Police Station, Yanam.

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

5. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner are hatching plans to threaten the business people in the Puducherry urban area and extort money from them by threatening and to meet expenses in connection with the trial in the pending criminal cases against him.

6. The Petitioner further, submitted that if, the Counter Petitioner is allowed to reside in Puducherry limits, it is apprehended that he would continue to indulge in serious offences like murder, attempt to murder, 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, Reddiarpalayam 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.

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 28-04-2023 to appear for the hearing on 16-05-2023 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. The notice was received by the Counter Petitioner.

8. On 16-05-2023, the Petitioner Thiru D. Murugan, Sub-Inspector, Reddiarpalayam Police Station, Puducherry and the Counter Petitioner were present.

9. 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 Prakash @ Gundu Prakash, is in such a manner that he may cause breach of peace and create a problem of law and order and public tranquility. He has involved in crimes such as murder, assault, unlawful activities and disturbance to the public peace and order. There are 4 criminal cases were registered against him in various Police Stations. 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. 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;

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 Prakash @ Gundu Prakash (25), son of Palanivel, a resident of 10th Cross, JJ Nagar, Moolakulam, 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 16th day of May, 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. 57/2023 of I.R. No. 05/2023 Under Section 144 of Cr.P.C./1626

ORDER

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

To

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

. . . Petitioner

Vs.

Thiru Sakthivel @ Chinna Sakthivel (24),
S/o. Palani @ Muthu,
No. C-21, Lambert Saravanan Nagar,
Reddiarpalayam,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by Station House Officer, Thiru D. Murugan, Sub-Inspector of Police, Reddiarpalayam Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Sakthivel @ Chinna Sakthivel 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 Sakthivel @ Chinna Sakthivel (24), son of Muthu, C-21, Lambert Saravanan Nagar, Reddiarpalayam, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Reddiarpalayam Police Station, Puducherry, with the recommendation of the Superintendent of Police (North),

Puducherry *vide* I.R. No. 05/ 2023 under section 144 of Cr.P.C., dated 01-04-2023. Therein it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as murder, attempt to murder, hurt, intimidation and disturbance to the public tranquility and order. The Counter Petitioner has created panic in the minds of local inhabitants and the business community in the city limit. 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. 71/2018, under sections 294(b), 324, 323, 506(ii) r/w 34 IPC, dated 30-05-2018 of Reddiarpalayam Police Station, Puducherry.
2. 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 Reddiarpalayam Police Station, Puducherry.

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

5. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner are hatching plans to threaten the business people in the Puducherry urban area and extort money from them by threatening and 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, Counter Petitioner is allowed to reside in Subdivisional Magistrate (North) limits, it is apprehended that he would continue to indulge in serious offences like murder, attempt to murder, extortion, kidnapping, 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, Reddiarpalayam Police Station has prayed to invoke provisions under 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.

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 28-04-2023 to appear for the hearing on 16-05-2023 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. The notice was received by the Counter Petitioner.

8. On 16-05-2023, the Petitioner Thiru D. Murugan, Sub-Inspector of Police, Reddiarpalayam 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 Sakthivel @ Chinna Sakthivel, is in such a manner that he may cause breach of peace and create a problem of law and order and public tranquility. He has involved in crimes such as murder, assault, unlawful activities and disturbance to the public peace and order. There are 2 criminal cases were registered against him in Reddiarpalayam Police Station.

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, kidnapping, 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 Sakthivel @ Chinna Sakthivel (24), son of Palani @ Muthu, a resident of No. C-21, Lambert Saravanan Nagar, Reddiarpalayam, 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 16th day of May, 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. 58/2023 of I.R. No. 06/2023 Under Section 144 of Cr.P.C./1624

ORDER

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

To

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

. . . Petitioner

Vs.

Thiru Sooriya (26),
S/o. Raghu,
No. 3, A-8, Block,
Lambert Saravanan Nagar,
Reddiyarpalayam,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by Station House Officer, Thiru D. Murugan, Sub-Inspector of Police, Reddiyarpalayam Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Sooriya (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 Sooriya (26), son of Ragu, a resident of No. 3, A-8 Block, Lambert Saravanan Nagar, Reddiyarpalayam, 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. 06/2023 under section 144 of Cr.P.C., dated 02-04-2023. Therein it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as attempt to murder, extortion, hurt, intimidation and disturbance to the public tranquility and order. The Counter Petitioner has created panic in the minds of local inhabitants and the business community in the city limit. 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.

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

5. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner are hatching plans to threaten the business people in the Puducherry urban area and extort money from them by threatening and 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 Puducherry limits, it is apprehended that he would continue to indulge in serious offences like murder, attempt to murder, extortion, kidnapping, 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, Reddiarpalayam 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.

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 28-04-2023 to appear for the hearing on 16-05-2023 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. The notice was received by the Counter Petitioner.

8. On 16-05-2023, the Petitioner Thiru D. Murugan, Sub-Inspector of Police, Reddiarpalayam 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 Sooriya (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, unlawful activities and disturbance to the public peace and order. There is one criminal case was registered against him in Reddiarpalayam Police Station.

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 here by 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 Sooriya (26), son of Ragu, a resident of No. 3, A-8 Block, Lambert Saravanaii Nagar, Reddiarpalayam, 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 16th day of May, 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. 59/2023 of I.R. No. 07/2023 Under Section 144 of Cr.P.C./1627

ORDER

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

To

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,
Boomiyanpet,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by Station House Officer, Thiru D. Murugan, Sub-Inspector of Police, Reddiyarpalayam Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Sappi Murugan @ Murugan, 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, Boomiyanpet, 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. 07/2023, under section 144 of Cr.P.C., dated 03-04-2023. Therein it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as attempt to murder, extortion, hurt, intimidation and disturbance to the public tranquility and order. The Counter Petitioner has created panic in the minds of local inhabitants and the business community in the city limit. 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 has involved in various offences by using aruval, knife and other dangerous weapons to attack the victims.

5. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner are hatching plans to threaten the business people in the Puducherry urban area and extort money from them by threatening and 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, Counter Petitioner is allowed to reside in Puducherry limits, it is apprehended that he would continue to indulge in serious offences like murder, attempt to murder, extortion, kidnapping, 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, Reddiarpalayam Police Station 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.

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 28-04-2023 to appear for the hearing on 16-05-2023 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. The notice was received by the Counter Petitioner.

8. On 16-05-2023, the Petitioner Thiru D. Murugan, Sub-Inspector of Police, Reddiarpalayam 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 Sappi Murugan @ Murugan (21), is in such a manner that they 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 2 criminal cases were registered against him in Reddiarpalayam Police Station.

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, 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, Boomianpet, 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 16th day of May, 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. 60/2023 of I.R. No. 08/2023 Under Section 144 of Cr.P.C./1623

ORDER

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

To

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

. . . Petitioner

Vs.

Thiru Sathishkumar @ Sathish @ Ice (24),
S/o. Siva @ Shanmugam,
No. A-14, Mariamman Koil Street,
Pavanar Nagar, Boomianpet,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by Station House Officer, Thiru D. Murugan, Sub-Inspector of Police, Reddiarpalayam Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Sathishkumar @ Sathish @ Ice, 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 Sathishkumar @ Sathish @ Ice (24), son of Siva @ Shanmugam, a resident of No. A-14, Mariamman Koil Street, Pavanar Nagar, Boomianpet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Reddiarpalayam Police Station with the recommendation of the Superintendent of Police (North), Puducherry *vide*

I.R.No. 08/2023, under section 144 of Cr.P.C., dated 04-04-2023. Therein it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as murder, attempt to murder, extortion, hurt, intimidation and disturbance to the public tranquility and order. The Counter Petitioner has created panic in the minds of local inhabitants and the business community in the city limit. 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. 71/2018 under sections 294(b), 324, 323, 506(ii) r/w 34 IPC, dated 30-05-2018 of Reddiarpalayam Police Station, Puducherry.
2. 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 Reddiarpalayam Police Station, Puducherry.
3. Cr.No. 99/2022 under sections 147, 307, 324 IPC r/w 149 IPC, dated 04-08-2022 of Reddiarpalayam 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 has involved in various offences by using aruval, knife and other dangerous weapons to attack the victims.

5. It is also stated in the I.R that the Station House Officer have received reliable information that the Counter Petitioner are hatching plans to threaten the business people in the Puducherry urban area and extort money from them by threatening and 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 Puducherry limits, it is apprehended that he would continue to indulge in serious offences like murder, attempt to murder, extortion, kidnapping, 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, Reddiarpalayam Police Station, Puducherry, has prayed to invoke provisions unde 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.

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 28-04-2023 to appear for the hearing on 16-05-2023 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. The notice was received by the Counter Petitioner.

8. On 16-05-2023, the Petitioner Thiru D. Murugan, Sub-Inspector of Police, Reddiyarpalayam 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 Sathishkumar @ Sathish @ Ice, is in such a manner that he may cause breach of peace and create a problem of law and order and public tranquility. He has involved in crimes such as murder, assault, unlawful activities and disturbance to the public peace and order. There are 3 criminal cases were registered against him in Reddiyarpalayam Police Station, Puducherry.

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 the section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Sathishkumar @ Sathish @ Ice (24), son of Siva @ Shanmugam, a resident of No. A-14, Mariamman Koil Street, Pavanar Nagar, Boomianpet, 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 16th day of May, 2023 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).