



புதுச்சேரி மாநில அரசிதழ்

La Gazette de L'État de Poudouchéry

The Gazette of Puducherry

PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

EXTRAORDINARY

அதிகாரம் பெற்ற
வெளியீடு

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No. }	Puducherry	Thursday	23rd	March	2023

IN THE COURT OF SUBDIVISIONAL MAGISTRATE (NORTH)
AT PUDUCHERRY

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

M.C. No. 221/2022 of I.R. No. 79/2022 Under Section 144 of Cr.P.C./751

ORDER

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

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

.. Petitioner

Vs.

1. Thiru Jegan @ Jegadish (36),
S/o. Kumar,
No. 125, Edayanchavady Road,
Karuvadikuppam, Lawspet,
Puducherry.

2. Thiru Janarthanan (26),
S/o. Kumar,
No. 125, Edayanchavady Road,
Karuvadikuppam, Lawspet,
Puducherry.
3. Thiru Sowndaraj (27),
S/o. Govindasamy,
No. 70, Mettu Street,
Karuvadikuppam, Lawspet,
Puducherry.

. . . Counter Petitioners

This petition along with case sheet is filed by the Inspector of Police, Lawspet Police Station, Puducherry praying to pass orders under section 144 of Cr.P.C., against Thiru Jegan @ Jegadish, Thiru Janarthanan and Thiru Sowndaraj 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 No. 1 is Thiru Jegan @ Jegadish (36), s/o. Kumar, a resident of No. 125, Edayanchavady Road, Karuvadikuppam, Lawspet, Puducherry, the Counter Petitioner No. 2 is Thiru Janarthanan (26), s/o. Kumar, a resident of No. 125, Edayanchavady Road, Karuvadikuppam, Lawspet, Puducherry and the Counter Petitioner No. 3 is Thiru Sowndaraj (27), s/o. Govindasamy, a resident of No. 70, Mettu Street, Karuvadikuppam, Lawspet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case was referred by the Inspector of Police, Lawspet Police Station, Puducherry, with the recommendation of the Superintendent of Police (North), Puducherry *vide* I.R.No. 79/2022 under section 144 of Cr.P.C., dated 19-09-2022. Therein, it has been stated that the Counter Petitioners have formed a gang of rowdies and bent upon indulging in crimes such as murder, rioting, explosive cases, violence, intimidation, assault, disturbance to the public tranquility and order. The Counter Petitioners have created panic in the minds of local inhabitants and the business people in the Lawspet Police Station limits. As a result, the people of the locality being afraid of the people of Counter Petitioners do not come forward to lodge any complaint against them. It is also stated that even witnesses don't come forward voluntarily to give evidence against them in the cases where they were the accused.

4. The Petitioner further submitted that the Counter Petitioner No. 1. Thiru Jegan @ Jegadish (36), s/o. Kumar, had already been involved in the following criminal cases.

1. Cr.No. 27/2017 under sections 148, 341, 294 (b), 323, 364 (A), 347, 386 r/w 149 IPC of Muthialpet Police Station, Puducherry.
2. Cr.No. 62/2022 under sections 147, 148, 302 r/w 149 IPC of Ariyankuppam Police Station, Puducherry.

5. The Counter Petitioner No. 2. *viz.*, Thiru Janarthanan (26), s/o. Kumar had already been involved in the following Criminal cases.

1. Cr.No. 167/2011 under sections 294, 323, 506(ii) IPC of Lawspet Police Station, Puducherry.
2. Cr.No. 180/11 under sections 341, 294, 323, 506(ii) IPC r/w 34 IPC of Lawspet Police Station, Puducherry.

3. Cr.No. 181/2011 under sections 150, 402, 399 IPC & 25 (1-AAA) of Arms Act, 1959 and 5 of Explosive Substances Act, 1908 of Lawspet Police Station, Puducherry.
4. Cr.No. 27/2017 under sections 148, 341, 294(b), 323, 364(A), 347, 386 IPC r/w 149 IPC of Muthialpet Police Station, Puducherry.
5. Cr.No. 62/2022 under sections 147, 148, 302 r/w 149 IPC of Ariyankuppam Police Station, Puducherry.
6. The Petitioner further submitted that the Counter Petitioner No. 3. Sowndaraj (27), s/o. Govindasamy, had already been involved in the following criminal cases.
 1. Cr.No. 116/2015 under sections 147, 148, 449, 302 IPC r/w 149 IPC of Lawspet Police Station, Puducherry.
 2. Cr.No. 62/2022 under sections 147, 148, 302 r/w 149 IPC of Ariyankuppam Police Station, Puducherry.
7. It is also stated in the I.R that the Station House Officer, Puducherry, have received reliable information that the Counter Petitioners are indulge in unlawful activities in the Lawspet Police Station limits and extort money by threatening. Further, stated that the Counter Petitioners are also acting as a professional murderer. It is further stated in the I.R. that the Counter Petitioners are young and very active notorious rowdy elements and have become a threat and menace to the innocent people and therefore, their criminal activities cannot be prevented by invoking the mere security proceedings under the Cr.P.C.
8. The Petitioner further submitted that if, the Counter Petitioners are allowed to reside in Puducherry limits, it is apprehended that they would continue to indulge in serious offences like assault, violence, intimidation, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Lawspet Police Station, Puducherry, has prayed to invoke provisions under section 144 of Cr.P.C., against the Counter Petitioners 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.
9. The proceeding was started by affording an opportunity to the Counter Petitioners to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 27-12-2022 to appear for the hearing on 05-01-2023 and subsequent hearings on 19-01-2023, 20-02-2023 and 22-02-2023. It was instructed to serve the notice to the Counter Petitioners through the Station House Officer, Lawspet Police Station, Puducherry. The notice for the Counter Petitioners No. 1 and 2 was received by his father, Thiru P. Kumar. The notice for the Counter Petitioner No. 3 was served by affixing it at his house due to absence of the Counter Petitioner No. 3 at his house in presence of witnesses. The Service was held sufficient for the Counter Petitioners.
10. On 22-02-2023, the Petitioner was present. The Counter Petitioners have failed to appear before the Court on hearing date.
11. 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 Jegan @ Jegadish, Thiru Janarthan and Thiru Sowndaraj are in such a manner that they may cause breach of peace and create a problem of law and order, and public tranquility. They had involved in crimes such as murder, assault, unlawful activities and disturbance to the public peace and order.

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

13. 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 No. 1 is Thiru Jegan @ Jegadish (36), s/o. Kumar, a resident of No. 125, Edayanchavady Road, Karuvadikuppam, Lawspet, Puducherry, the Counter Petitioner No. 2 is Janarthanan (26), s/o. Kumar, a resident of No. 125, Edayanchavady Road, Karuvadikuppam, Lawspet, Puducherry and the Counter Petitioner No. 3 is Sowndaraj (27), s/o. Govindasamy, a resident of No. 70, Mettu Street, Karuvadikuppam, Lawspet, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of two months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except, when you are summoned to attend the cases in any of the Courts in Puducherry. However, the Counter Petitioners may represent against this order before the undersigned by post or by Counsel.

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

M. KANDASAMY,
Subdivisional Magistrate (North).

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IN THE COURT OF SUBDIVISIONAL MAGISTRATE (NORTH)
AT PUDUCHERRY

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

M.C. No. 222/2022 of I.R. No. 80/2022 Under Section 144 of Cr.P.C./757

ORDER

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

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

. . . Petitioner

Vs.

Thiru Chandru @ Tamizhselvan (23),
S/o. Sagadevan,
No. 01, Pillaiyar Koil Street,
Karuvadikuppam, Lawspet,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Inspector of Police, Lawspet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Chandru @ Tamizhselvan (23), to prevent imminent danger to human lives and properties, and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. Counter Petitioner is Thiru Chandru @ Tamizhselvan (23), s/o. Sagadevan, a resident of No. 01, Pillaiyar Koil Street, Karuvadikuppam, Lawspet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case referred by the Inspector of Police, Lawspet Police Station, Puducherry, with the recommendation of the Superintendent of Police (North), Puducherry *vide* I.R.No. 80/2022 under section 144 of Cr.P.C., dated 21-09-2022. Therein, it has been stated that the Counter Petitioner have formed a gang of rowdies and bent upon indulging in crime such as murder, intimidation, assault, rioting, explosive cases and disturbance to the public tranquility and order. The Counter Petitioner has created panic in the minds of local inhabitants and the business people in the Lawspet Police Station limits. As a result, the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

1. 88/2019 under sections 120(b), 148, 341, 324, 326, 307, 109 IPC r/w 149 IPC, 3 and 4 of Explosive Substances Act, 1908 of Muthialpet Police Station, Puducherry.
2. 62/2022 under sections 147, 148, 302 r/w 149 IPC of Ariyankuppam Police Station, Puducherry.

4. It is also stated in the I.R that the Station House Officer have received reliable information that the Counter Petitioner is indulge in unlawful activities in the Lawspet Police Station, limits and extort money by threatening. Further stated that the Counter Petitioner belongs to one Jegan gang and they were joined with their associates had committed murdered one Thiru Sarathkumar @ Sarath @ Podimas (28), s/o. Shankar of No. 39, Mariamman Koil Street, Karuvadikuppam, Puducherry. And he is also acting as a professional murderer. It is further stated in the I.R that the Counter Petitioner is young and very active notorious rowdy elements and have become a threat and menace to the innocent people and therefore his criminal activities cannot be prevented by invoking the mere security proceedings under the Cr.P.C.

5. The Petitioner further submitted that if, Counter Petitioner is allowed to reside in Lawspet limits, it is apprehended that he would continue to indulge in serious offences like assault, intimidation, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Lawspet Police Station, 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.

6. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 27-12-2022 to appear for the hearing on 05-01-2023 and subsequent hearings on 19-01-2023, 20-02-2023 and 22-02-2023. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Lawspet Police Station, Puducherry. The notice for the Counter Petitioner was received by his mother, Tmt. S. Jayasudha. The service was held sufficient for the Counter Petitioner.

7. On 22-02-2023, the Inspector of Police, Lawspet Police Station, Puducherry, was present. The Counter Petitioner has failed to appear before the Court on hearing date.

8. I have heard the Petitioner and carefully gone through all the available records placed before me. In the Police Information Report/Petition, it is stated that the activities of Thiru Chandru @ Tamizhselvan, 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 two criminal cases were registered against him in various Police Stations.

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

10. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of powers conferred under the section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Chandru @ Tamizhselvan (23), s/o. Sagadevan, a resident of No. 01, Pillaiyar Koil Street, Karuvadikuppam, Lawspet, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of two months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry. However, you may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 22nd day of February, 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. 23/2023 of I.R. No. 09/2023 Under Section 144 of Cr.P.C./756

ORDER

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

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

. . . Petitioner

Vs.

Thiru Rajasegar (28),
S/o. Nagamuthu @ Meesai,
No. 45, Throwpathiamman Koil Street,
Pooranankuppam,
Thavalakuppam,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Thavalakuppam Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Rajasegar (28), to prevent imminent danger to human lives and properties, and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Rajasegar (28), s/o. Nagamuthu @ Meesai, a resident of No. 45, Throwpathiamman Koil Street, Pooranankuppam, Thavalakuppam, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Thavalakuppam Police Station, Puducherry, with the recommendation of the Superintendent of Police (South), Puducherry *vide* I.R.No. 09/2023 under section 144 of Cr.P.C., dated 14-02-2023. Therein, it has been stated that the Counter Petitioner have formed a gang of rowdies and bent upon indulging in crime such as murder, hurt, explosive case, dacoity by using deadly weapons. It is also stated that the Counter Petitioner have created panic in the minds of local inhabitants and he is leading lavish life with the money earned through extortion. As a result, the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

1. Cr.No. 37/2013 under sections 509(B), 323, 506(i) IPC r/w 34 IPC @ 354 A(1)(i), 354 D(2), 323, 506(i) IPC r/w 34 IPC, dated 08-05-2013 of Thavalakuppam Police Station, Puducherry.
2. Cr.No. 71/2013 under sections 294(b), 323, 506(ii) IPC r/w 34 IPC, dated 02-08-2013 of Thavalakuppam Police Station, Puducherry.

3. Cr.No. 229/2013 under sections 147, 148, 341, 302 IPC r/w 149 IPC, dated 19-11-2013 of Reddichavady Police Station, Tamil Nadu.
4. Cr.No. 86 under sections 147,148, 341, 342, 302 IPC r/w 149 IPC and 3 of Explosive Substances Act, 1908, dated 21-11-2014 of Thavalakuppam Police Station, Puducherry.
5. Cr.No. 02/2021 under sections 143, 148, 307, 323, 324 IPC r/w 149 IPC of Thavalakuppam Police Station, Puducherry.
6. I.R.No. 84/2014 under section 144 of Cr.P.C., dated 08-10-2014
7. I.R.No. 24/2015 under section 144 of Cr.P.C., dated 12-08-2015
8. I.R.No. 04/2016 under section 144 of Cr.P.C., dated 15-03-2016
9. I.R.No. 08/2017 under section 144 of Cr.P.C., dated 11-05-2017
10. I.R.No. 07/2019 under section 144 of Cr.P.C., dated 12-03-2019
11. I.R.No. 14/2018 under section 144 of Cr.P.C., dated 18-05-2018
12. I.R.No. 09/2019 under section 144 of Cr.P.C., dated 26-11-2019
13. I.R.No. 64/2020 under section 144 of Cr.P.C., dated 10-11-2020
14. I.R.No. 10/2022 under section 144 of Cr.P.C., dated 11-06-2022

4. The Petitioner further stated that the Counter Petitioner is not a law abiding citizen and he is a young and very active notorious rowdy element. It is also stated that he has involved in various offences by using aruval, knife to attack the victims and he violated the conditions imposed by the Court while he was released on bail. It is also stated in the I.R that the Station House Officer have received reliable information that he is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. It is also stated that he is hatching plans to threaten the business people in the Puducherry urban area and extort money from them by threatening. The Petitioner further 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.

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

6. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 22-02-2023 to appear for the hearing on 02-03-2023.

It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Thavalakuppam Police Station, Puducherry. The notice was received by the Counter Petitioner.

7. On 02-03-2023, the Petitioner Thiru G. Thirumurugan, Sub-Inspector, Thavalakuppam Police Station, Puducherry, was present. The Counter Petitioner has failed to appear before the Court on hearing date. The Ld. Counsel, Thiru D. Pushparaj, was present and represented on behalf of the Counter Petitioner.

8. 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 the Counter Petitioner 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 attempt to murder, murder, assault, unlawful activities and disturbance to the public peace and order. There are 14 criminal cases were registered against him in various Police Stations. I have also heard the oral submission of the Counsel for the Counter Petitioner. The Ld. Counsel for Counter Petitioner has stated that the Petitioner has filed this false case with an ulterior motive.

9. 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, Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, damages to 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;

10. 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 Rajasegar (28), s/o. Nagamuthu @ Meesai, a resident of No. 45, Throwpathiamman Koil Street, Pooranankuppam, Thavalakuppam, 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 02nd day of March, 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. 25/2023 of I.R. No. 11/2023 Under Section 144 of Cr.P.C./755

ORDER

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

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

. . . Petitioner

Vs.

Thiru Arunachalam @ Arun (24),
S/o. Arumugam,
No. 42, Throwpathiamman Koil Street,
Pooranankuppam,
Thavalakuppam,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Thavalakuppam Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Arunachalam @ Arun, 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 Arunachalam @ Arun (24), s/o. Arumugam, a resident of No. 42, Throwpathiamman Koil Street, Pooranankuppam, Thavalakuppam, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Thavalakuppam Police Station, Puducherry, with the recommendation of the Superintendent of Police (South), Puducherry *vide* I.R.No. 11/2023 under section 144 of Cr.P.C., dated 16-02-2023. 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, hurt by using deadly weapons. It is also stated that the Counter Petitioner has created panic in the minds of local inhabitants and he is leading lavish life with the money earned through extortion. As a result, the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

1. Cr.No. 347/2020 under sections 294(b), 323, 506(i) IPC r/w 34 IPC, dated 03-11-2020 of Thavalakuppam Police Station, Puducherry.
2. Cr.No. 02/2021 under sections 143, 148, 307, 323, 324 IPC r/w 149 IPC @ 120 (B), 148, 302 IPC r/w 149 IPC of Thavalakuppam Police Station, Puducherry.

3. IR.No. 79/2021 under section 144 of Cr.P.C., dated 11-06-2021.

4. IR.No. 13/2022 under section 144 of Cr.P.C., dated 14-06-2022.

4. The Petitioner further stated that the Counter Petitioner is not a law abiding citizen and he is a young and very active notorious rowdy element. It is also stated that he has involved in various offences by using aruval, knife to attack the victims and he violated the conditions imposed by the Court while he was released on bail. It is also stated in the I.R that the Station House Officer has received reliable information that he is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. It is also stated that he is hatching plans to threaten the business people in the Puducherry urban area and extort money from them by threatening. The Petitioner further 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.

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

6. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 22-02-2023 to appear for the hearing on 02-03-2023. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Thavalakuppam Police Station, Puducherry. The notice was received by the Counter Petitioner.

7. On 02-03-2023, the Petitioner Thiru G. Thirumurugan, Sub-Inspector, Thavalakuppam Police Station, Puducherry, was present. The Counter Petitioner has failed to appear before the Court on hearing date.

8. I have heard the Petitioner and carefully gone through all the available records placed before me. In the Police Information Report/Petition, it is stated that the activities of the Counter Petitioner 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 attempt to murder, assault, unlawful activities and disturbance to the public peace and order. There are 4 criminal cases were registered against him in Thavalakuppam Police Station, Puducherry.

9. 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, Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, damages to 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.

10. 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 Arunachalam @ Arun (24), s/o. Arumugam, a resident of No. 42, Throwpathiamman Koil Street, Pooranankuppam, Thavalakuppam, 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 02nd day of March, 2023 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

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

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

M.C. No. 26/2023 of I.R. No. 01/2023 Under Section 144 of Cr.P.C./750

ORDER

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

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

. . . Petitioner

Vs.

Thiru Vignesh @ Sethu,
S/o. Azhaguvel,
No. 21, Theerthakulam Street,
Manjalai,
Ariyankuppam,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by Station House Officer, Ariyankuppam Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Vignesh @ Sethu, 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 Vignesh @ Sethu, s/o. Azhaguvel, a resident of No. 21, Theerthakulam Street, Manjalai, Ariyankuppam, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Ariyankuppam Police Station, Puducherry, through the Superintendent of Police (South), Puducherry *vide* I.R.No. 01/2023 under section 144 of Cr.P.C., dated 09-02-2023. 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, rioting cases by using lethal weapons along with his hooligan. It is also stated that he is leading a lavish life with the money earned through extortion. The Counter Petitioner has created panic in the minds of local inhabitants. 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. 141/2014 under sections 341, 323, 324, 506 (ii) IPC r/w 34 IPC, dated 17-08-2014 of Ariyankuppam Police Station, Puducherry.
2. Cr.No. 62/2017 under section 399 IPC of Thukkanampakkam Police Station, Puducherry, dated 12-05-2017.
3. Cr.No. 146/2018 under sections 143, 148, 294(b), 324, 506(ii), 109 IPC, r/w 149, IPC @ 143,148, 294(b), 326, 506(ii), 109 IPC r/w 149 IPC of Ariyankuppam Police Station, Puducherry, dated 07-10-2018.
4. Cr.No. 65/2019 under sections 294 (b), 323, 324, 326, 506(ii) IPC r/w 34 IPC, dated 20-05-2019 of Ariyankuppam Police Station, Puducherry.
5. Cr.No. 138/2019 under sections 147, 148, 302 IPC and 3 of Explosive Substances Act, 1908 r/w 149 IPC & 120(b), 147, 148, 302 IPC and 3, 4 of Explosive Substances Act, 1908 r/w 149 IPC, dated 06-11-2019 of Ariyankuppam Police Station, Puducherry, dated 06-11-2018.

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

5. It is also stated in the I.R that the Station House Officer has received reliable information that he is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. The Counter Petitioner is hatching plans to threaten the business people in the Puducherry urban and rural areas and extort money from them by threatening and he violated the conditions imposed by the Criminal Courts and has scant respect to the judiciary and rule of law. The Petitioner also stated that the Counter Petitioner earned displeasure among a section of other rowdy group in the area on account of the grudge against him and hence, rival group is also waiting opportunity to take revenge upon him.

6. The Petitioner further submitted that if, Counter Petitioner is allowed to reside in Ariyankuppam limits, it is apprehended that he would continue to indulge in serious offences like murder, extortion, damages to public and private properties, assault, obstructions, annoyance, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Ariyankuppam Police Station, Puducherry, has prayed to invoke

provisions under section 144 of Cr.P.C., against the Counter Petitioner do not to enter into the jurisdiction of this Court for a period of two months as to prevent danger to the human life and properties and disturbance to the public tranquility and order.

7. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 22-02-2023 to appear for the hearing on 01-03-2023 at 10.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Ariyankuppam Police Station, Puducherry. The notice for the Counter Petitioner was received by his Sister, Ms. B. Arularasi. The service was held sufficient for the Counter Petitioner.

8. On 01-03-2023, the Petitioner represented by Thiru Palanisamy, Sub-Inspector, Ariyankuppam Police Station, Puducherry, was present. The Counter Petitioner has failed to appear before the Court on hearing date.

9. I have heard the Petitioner and carefully gone through all the available records placed before me. In the Police Information Report/Petition, it is stated that the activities of Thiru Vignesh @ Sethu, 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 5 criminal cases were registered against him in various Police Stations.

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

11. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of powers conferred under the section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Vignesh @ Sethu, s/o. Azhaguvel, a resident of No. 21, Theerthakulam Street, Manjalai, Ariyankuppam, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of two months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry. However, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 01st day of March, 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. 28/2023 of I.R. No. 06/2023 Under Section 144 of Cr.P.C./749

ORDER

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

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

. . . Petitioner

Vs.

Thiru Loganathan @ Ajith (22),
S/o. Arumugam,
No. 01, Old Pooranankuppam Street,
Pudukulam,
Ariyankuppam,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Ariyankuppam Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Loganathan @ Ajith (22), to prevent imminent danger to human lives and properties and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Loganathan @ Ajith (22), s/o. Arumugam, a resident of No. 01, Old Pooranankuppam Street, Pudukulam, Ariyankuppam, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Ariyankuppam Police Station, Puducherry, through the Superintendent Police (South), Puducherry *vide* I.R.No. 06/2023 under section 144 of Cr.P.C., dated 11-02-2023. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as murder, selling ganja, hurt, robbery by using lethal weapons. The Counter Petitioner has created panic in the minds of local inhabitants. It is also stated that he is extorting money from the local merchants and is leading lavish life with the money earned through extortion. As a result, the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

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

3. Cr.No. 07/2019 under sections 294 (b), 324, 506 (ii) IPC, dated 21-01-2019 of Ariyankuppam Police Station, Puducherry – Pending Trial.
4. Cr.No. 38/2019 under sections 294 (b), 506 (ii) IPC r/w 34 IPC, 27 (i) Arms Act, dated 27-03-2019 of Ariyankuppam Police Station, Puducherry – Pending Trial.
5. Cr.No. 406/2020 under sections 294 (b), 506 (ii) IPC r/w 34 IPC, dated 02-11-2020 of Ariyankuppam Police Station, Puducherry – Pending Trial.
6. Cr.No. 89/2019 under sections 8(c) r/w 20 (b), (ii) (A), 27 (A), 29 NDPS Act of Orleanpet Police Station, Puducherry – Pending Trial.

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

5. It is also stated in the I.R that the Station House Officer has received reliable information that he is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. The Counter Petitioner is hatching plans to threaten the business people in the Puducherry urban and rural areas and extort money from them by threatening and he violated the conditions imposed by the Criminal Courts and has scant respect to the judiciary and rule of law. The Petitioner also stated that the Counter Petitioner earned displeasure among a section of other rowdy group in the area on account of the grudge against him and hence, rival group is also waiting opportunity to take revenge upon him.

6. The Petitioner further submitted that if, Counter Petitioner is allowed to reside in Ariyankuppam limits, it is apprehended that he would continue to indulge in serious offences like murder, damages to public and private properties, extortion, assault, obstructions, annoyance, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Ariyankuppam Police Station, Puducherry, has prayed to invoke provisions under section 144 of Cr.P.C., against the Counter Petitioner do not to enter into the jurisdiction of this Court for a period of two months as to prevent danger to the human life and properties and disturbance to the public tranquility and order.

7. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 22-02-2023 to appear for the hearing on 01-03-2023. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Ariyankuppam Police Station, Puducherry. The notice was received by the Counter Petitioner.

8. On 01-03-2023, the Petitioner represented by Thiru Palanisamy, Sub-Inspector, Ariyankuppam Police Station, Puducherry and the Counter Petitioner were present.

9. I have heard both the sides and carefully gone through all the available records in file placed by the Petitioner. In the Police Information Report/Petition, it is stated that the activities of Thiru Loganathan @ Ajith (22), 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 6 criminal cases were registered against him in various Police Stations. I have also heard the oral submission of the Counter Petitioner. The Counter Petitioner has stated that the Petitioner has filed this false case with an ulterior motive.

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

11. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of powers conferred under the section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Loganathan @ Ajith (22), s/o. Arumugam, a resident of No. 01, Old Pooranankuppam Street, Pudukulam, Ariyankuppam, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of two months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry. However, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 01st day of March, 2023 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).