



புதுச்சேரி மாநில அரசிதழ்

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PART - I

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EXTRAORDINAIRE

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அதிகாரம் பெற்ற
வெளியீடு

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IN THE COURT OF SUBDIVISIONAL MAGISTRATE AT KARAIKAL

Present : Thiru G. JOHNSON,
Subdivisional Magistrate.

M.C. No. 44/2023,
I.R.No. 06/2023 of 433, dated 23-05-2023
Neravy Police Station, Karaikal, dated 18-05-2023.

PROHIBITORY ORDER UNDER SECTION 144 (I), (II) AND (III) OF CR.P.C.

Whereas, one I.R was filed by the Station House Officer, Neravy Police Station, Karaikal *vide* I.R.No. 06/2023, dated 18-05-2023 under sections 144 (i), (ii) and (iii) of Cr.P.C. in this Court. The information laid under section 144 of Cr.P.C. goes on to narrate the criminal activities of the Counter Petitioner namely, Ezhilarasi @ Meera (41), daughter of Dharmalingam, residing at Plot. Nos. 54 and 55, V Cross Extension, Nethaji Nagar, Karaikal, within the jurisdiction of this Court. She has been reportedly indulging in serious offences like organized murders, extortion, hurt, criminal intimidation and thereby became a perennial source of threat to the community and disturbance to the public tranquility. She is reported to be a notorious rowdy element and is being watched by the Police constantly in the interest of public order.

2. Whereas, the information laid by the Station House Officer, Neravy Police Station, Karaikal, under section 144 (i), (ii) and (iii) of Cr.P.C. with reference to I.R.No. 06/2023, dated 18-05-2023 in which the record of previous criminal cases registered against the Counter Petitioner has been listed out in detail. (copy enclosed).

3. The Petitioner further, submits that the Counter Petitioner being a notorious criminal doesn't bother of discipline of Society, ignoring the Police warnings. She started an organisation named as "SRR Arakkattalai" (எஸ்.ஆர்.ஆர். அறக்கட்டளை) and the same is functioning with her hooligans and criminal associates at her house. She had been involving in many illegal activities with the money and muscle power (hooligans and criminal associates) within the banner of her above organisation. The facts and circumstances elicited in *supra*, conferred on the petitioner to arrive at a conclusion that this Counter Petitioner is a hard core criminal and detrimental to the peace and tranquility of public life and the security of the public which is at stake due to her terrible acts. This Counter Petitioner and her active associates are waiting to extort money from big shots, business peoples and rich persons, *etc.* While, all criminal offences as listed above in the I.R.No. 06/2023, dated 18-05-2023 under section 144 (i), (ii) and (iii) of Cr.P.C. are liable for penal action in nature, whereas, the provision of 144 of Cr.P.C. is preventive.

4. Whereas, the Petitioner has submitted that on 14-05-2023 at 17.00 hrs. while himself being Thiru S. Perumal, Sub-Inspector of Police being the Station House Officer, Neravy Police Station, Karaikal, was performing rounds in his Police Station limits, he received reliable information that the Counter Petitioner namely, Ezhilarasi @ Meera along with her husband namely, Vive @ Vikram @ Vikraman together threatened one Siva Kalimuthu of 2nd Saalai, Neravy, Karaikal on 14-05-2023 at his residence, having developed rivalry with him on business terms. Further, that on 15-05-2023, during routine rounds at 12.30 hrs., the SGASI V. Easwaramurthy returned to the Police Station along with PC 3245 and WHC 2490 submitted a special report stating that while performing duty, he received a reliable information that the Counter Petitioner, Ezhilarasi @ Meera along with her husband Vivi @ Vikram @ Vikraman were planning to eliminate her second husband Ram's sons Ajesh Ram and Madhesh Ram through hooligans due to property dispute.

5. Whereas, the Station House Officer, further, stated that on 18-05-2023 at 15.30 hrs., while performing rounds in the Police Station limits of Neravy Police Station, Karaikal, he received a reliable information the Counter Petitioner namely, Ezhilarasi @ Meera is likely to create problem in the Neravy Police Station limits and hence, the Station House Officer had reason to believe that the above Counter Petitioner would indulge in acts which are dangerous to the human life and properties and also would cause disturbance to the peace and public tranquility in the area under the jurisdiction of his Police Station and also in the areas under the jurisdictions of this Court. Hence, by registering one I.R.No. 06/2023, dated 18-05-2023 under section 144 (i), (ii) and (iii) of Cr.P.C., the Station House Officer prayed before this Court that the Counter Petitioner may be ordered not to enter in Karaikal region for a period of six months except on days when she is summoned to attend the cases in any other Court of Law in the Jurisdiction of Karaikal District, so as to prevent danger to the human life and properties and disturbance to the public tranquility and order in the Karaikal District by invoking the provisions under section 144 (i), (ii) and (iii) of Cr.P.C.

6. Hence, I, G. Johnson, Subdivisional Magistrate, Karaikal, after going through the information laid before me, doth hereby ordered the Counter Petitioner Ezhilarasi @ Meera (41), daughter of Dharmalingam to appear before me on 24-05-2023 at 3.30 p.m. to show cause as to why orders of this Court under section 144 (i), (ii) and (iii) of Cr.P.C. shall not be passed on her to restrain her

from entering into the entire region of Karaikal District which is under the jurisdiction of this Court for a period of 2 (two) months or sixty days, herein fail not on peril of penalty.

7. Whereas, the Petitioner Police from Neravy Police Station, Karaikal, returned the show cause notice to this Court on 24-05-2023 at 4.30 p.m. as to have made attempts to serve the same to the Counter Petitioner, but, the Counter Petitioner could not be contacted at her residence for which the show cause notice was affixed at the compound gate of her residence with two Official witness and hence, the Station House Officer returned the same show cause notice to this Court on the scheduled date. Hence, the Counter Petitioner was called absent before this Court on 24-05-2023.

8. Whereas, I am satisfied that based on the information placed before me and other facts which are brought out through the information laid by the Station House Officer, Neravy Police Station, Karaikal, that if, the Counter Petitioner is allowed to move freely within the jurisdiction of Karaikal District, then, her free movement would cause fear and apprehension in the minds of the general public. It is also clear that the Counter Petitioner has scant regard for the criminal justice system and the Rule of Law and refuses to cooperate with the Police in their investigations. Therefore, based on the report laid before me, I am of the opinion that if, the Counter Petitioner is allowed to reside within the limits of my jurisdiction, she will continue to indulge in and also motivate serious offences like murder, assault, damages to private properties, obstructions, annoyance, extortion and thereby become a perennial source of threat to the community and disturb public peace and order. Hence, I am satisfied that this situation cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr.P.C. needs to be invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and to uphold public peace and order.

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

10. Hence, I, G. Johnson, Subdivisional Magistrate, Karaikal, after going through the information laid before me and also after satisfying myself of the need for prohibition of certain activities of the Counter Petitioner, doth hereby pass prohibitory Orders to the Counter Petitioner Ezhilarasi @ Meera (41), daughter of Dharmalingam under sections 144 (i), (ii) and (iii) of Cr.P.C. to restrain her not to enter into the entire region of Karaikal District which is under the jurisdiction of this Court for a period of two months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when she is summoned to attend the cases in any of the Courts in Karaikal.

Given under my hand and seal of this Court, on the 25th day of May 2023 at Karaikal.

G. JOHNSON,
Subdivisional Magistrate.

IN THE COURT OF SUBDIVISIONAL MAGISTRATE AT KARAİKAL

Present : Thiru G. JOHNSON,
Subdivisional Magistrate.

**M.C. No. 45/2023,
I.R. No. 07/2023 of 434, dated 23-05-2023
Neravy Police Station, Karaikal, dated 19-05-2023.**

PROHIBITORY ORDER UNDER SECTION 144 (I), (II) AND (III) OF CR.P.C.

Whereas, one I.R was filed by the Station House Officer, Neravy Police Station, Karaikal, *vide* I.R.No. 07/2023, dated 19-05-2023 under sections 144 (i), (ii) and (iii) of Cr.P.C. in this Court. The information laid under section 144 of Cr.P.C. goes on to narrate the criminal activities of the Counter Petitioner namely, Vive @ Vikram @ Vikraman (39), son of Dhanapal @ Jaganathan, residing at Plot. Nos. 54 and 55, V Cross Extension, Nethaji Nagar, Karaikal, within the jurisdiction of this Court. He has been reportedly indulging in serious offences like organized murders, extortion, hurt, criminal intimidation and thereby became a perennial source of threat to the community and disturbance to the public tranquility. He is reported to be a notorious rowdy element and is being watched by the Police constantly in the interest of Public order.

2. Whereas, the information laid by the Station House Officer, Neravy Police Station, Karaikal under section 144 (i), (ii) and (iii) of Cr.P.C. with reference to I.R.No. 07/2023, dated 19-05-2023 in which the record of previous criminal cases registered against the Counter Petitioner has been listed out in detail. (copy enclosed).

3. The Petitioner further submits that the Counter Petitioner is none other than the strong supporter and reliable associate of one gangster namely, Ezhilarasi of Nethaji Nagar, within the Neravy Police Station limits. She is being guided and guarded by the Counter Petitioner Vikraman and hence, they are staying together at the same residence of Nos. 54 and 55, V Cross Extension, Nethaji Nagar, Karaikal, falling within the Neravy Police Station limits. He had been involving in many illegal activities with the money and muscle power (hooligans and criminal associates) within the banner of her above organisation in the name and style as "SRR Arakkattalai" (எஸ்.ஆர். ஆர். அறக்கட்டளை). The facts and circumstances elicited in *supra*, conferred on the petitioner to arrive at a conclusion that, this Counter Petitioner is a hard core criminal and detrimental to the peace and tranquility of public life and the security of the public which is at stake due to his terrible acts. This Counter Petitioner and his active associates are waiting to extort money from big shots, business peoples and rich persons, *etc.* While all criminal offences as listed above in the I.R.No. 07/2023, dated 19-05-2023, under section 144 (i), (ii) and (iii) of Cr.P.C. are liable for penal action in nature, whereas, the provision of 144 of Cr.P.C. is preventive.

4. The Petitioner has submitted that on 14-05-2023 at 17.00 hrs., while himself being Thiru S. Perumal, Sub-Inspector of Police being the Station House Officer, Neravy Police Station, Karaikal, was performing rounds in his Police Station limits, he received reliable information that the Counter Petitioner namely, Vive @ Vikram @ Vikraman along with Ezhilarasi @ Meera together threatened one Siva Kalimuthu of 2nd Saalai, Neravy, Karaikal on 14-05-2023 at his residence, having developed rivalry with him on business terms . Further, that on 15-05-2023, during routine rounds at 12.30 hrs., the SGASI V. Easwaramurthy returned to the Police

Station along with PC 3245 and WHC 2490 submitted a special report stating that while performing duty, he received a reliable information that the Counter Petitioner, Vive @ Vikram @ Vikraman along with his wife Ezhilarasi @ Meera were planning to eliminate Vinotha's sons Ajesh Ram and Madhesh Ram through hooligans due to property dispute. Further, that on 19-05-2023 at 15.30 hrs., while performing rounds in the Police Station limits of Neravy Police Station, the Station House Officer received a reliable information the Counter Petitioner namely, Vive @ Vikram @ Vikraman is likely to create problem in the Neravy Police Station limits and hence, the Station House Officer had reason to believe that the above Counter Petitioner would indulge in acts which are dangerous to the human life and properties and also would cause disturbance to the peace and public tranquility in the area under the jurisdiction of his Police Station and also in the areas under the jurisdictions of this Court. Hence, by registering one I.R.No. 07/2023, dated 19-05-2023 under section 144 (i), (ii) and (iii) of Cr.P.C., the Station House Officer prayed before this Court that the Counter Petitioner may be ordered not to enter in Karaikal region for a period of six months except on days when he is summoned to attend the cases in any other Court of Law in the Jurisdiction of Karaikal District so as to prevent danger to the human life and properties and disturbance to the public tranquility and order in the Karaikal District by invoking the provisions under section 144 (i), (ii) and (iii) of Cr.P.C.

5. Hence, I, G. Johnson, Subdivisional Magistrate, Karaikal, after going through the information laid before me, ordered the Counter Petitioner Vive @ Vikram @ Vikraman to appear before me on 24-05-2023 at 15.30 hrs., to show cause as to why the orders of this Court under section 144 (i), (ii) and (iii) of Cr.P.C. shall not be passed on him to restrain him from entering into the entire region of Karaikal District which is under the jurisdiction of this Court for a period of 2 (two) months or sixty days.

6. Whereas, the Petitioner Police from Neravy Police Station returned the show cause notice to this Court on 24-05-2023 at 16:30 hrs., as to have made attempts to serve the same to the Counter Petitioner but, the Counter Petitioner could not be contacted at his residence for which the show cause notice was affixed at the compound gate of his residence with two Official witness and hence, the Station House Officer returned the same show cause notice to this Court on the scheduled date. Hence, the Counter Petitioner was called absent before this Court on 24-05-2023.

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

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

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

10. Therefore, based on the report laid before me, I am of the opinion that if, the Counter Petitioner is allowed to reside within the limits of my jurisdiction, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, damages to private properties, obstructions, annoyance, extortion and thereby become a perennial source of threat to the community and disturb public peace and order.

11. Hence, I am satisfied that this situation cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr.P.C. needs to be invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and to uphold public peace and order.

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

13. Now, therefore, I, G. Johnson, Subdivisional Magistrate, Karaikal, after going through the information laid before me and also after satisfying myself of the need for prohibition of certain activities of the Counter Petitioner, doth hereby pass prohibitory orders to the Counter Petitioner Vive @ Vikram @ Vikraman, son of Jaganathan @ Dhanabal under section 144 (i), (ii) and (iii) of Cr.P.C. to restrain him not to enter into the entire region of Karaikal District which is under the jurisdiction of this Court for a period of two months or 60 days from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when he is summoned to attend the cases in any of the Courts in Karaikal.

Given under my hand and seal of this Court, on the 25th day of May 2023 at Karaikal.

G. JOHNSON,
Subdivisional Magistrate.