



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.	112	Poudouchéry	Mardi	3	Octobre	2023 (11 Asvina 1945)
No.		Puducherry	Tuesday	3rd	October	2023

IN THE COURT OF SUBDIVISIONAL MAGISTRATE (NORTH) AT PUDUCHERRY

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

M.C. No. 83/2023 of I.R. No. 07/2023 Under Section 144 of Cr.P.C./2691

ORDER

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

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

. . . Petitioner

Vs.

Thiru Vijay @ Kakka Viji (38),
S/o. Senathibathy,
No. 07, 1st Cross, Anna Street,
Shanmugapuram,
Puducherry.

. . . Counter Petitioner

1. This petition along with case sheet is filed by the Station House Officer, Mettupalayam Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Vijay @ Kakka Viji (38), 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 Vijay @ Kakka Viji (38), son of Senathibathy, a resident of No. 07, 1st Cross, Anna Street, Shanmugapuram, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case is submitted by the Station House Officer, Mettupalayam 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 28-03-2023. Therein, it has been stated that the Counter Petitioner has indulging in crimes such as murder, attempt to murder, hurt and disturbance to the public tranquility and order. 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. 134/2014 under sections 302 IPC r/w 34 IPC @ 147, 148, 452, 302 IPC r/w 149 IPC, dated 06-11-2014 of Reddiarpalayam Police Station, Puducherry – Pending Trial.
2. Cr.No. 50/2012 under section 25 (1)(a) of Arms Act, 1959, dated 13-03-2012 of Mettupalayam Police Station, Puducherry – Pending Trial.
3. Cr.No. 277/2011 under section 25 (1)(a) of Arms Act, 1959, dated 19-12-2011 of Mettupalayam Police Station, Puducherry – Pending Trial.
4. Cr.No. 42/2010 under sections 27(1-a) of Arms Act, 1959 and 506 (ii) IPC, dated 07-02-2010 of D'Nagar Police Station, Puducherry – Acquitted.
5. Cr.No. 200/2009 under sections 147, 148, 341, 307 IPC r/w 149 IPC, dated 24-11-2009 of Reddiarpalayam Police Station, Puducherry – Pending Trial.
6. Cr.No. 315/2007 under sections 302, 201 IPC, dated 06-10-2007 of Auroville Police Station, Tamil Nadu – Acquitted.
7. Cr.No. 287/2005 under sections 324 IPC r/w 34 IPC @ 326, 324 IPC r/w 34 IPC, dated 09-10-2005 of Lawspet Police Station, Puducherry – Acquitted.
8. Cr.No. 09/2004 under sections 324, 323 IPC r/w 34 IPC @ 323, 326 IPC r/w 34 IPC, dated 13-01-2004 of D'Nagar Police Station, Puducherry – Acquitted.
9. Cr.No. 18/2004 under sections 307, 427 IPC r/w 34 IPC, dated 22-01-2004 of D'Nagar Police Station, Puducherry – Acquitted.

10. Cr.No. 05/2003 under sections 341, 323, 506 (ii) IPC r/w 34 IPC, dated 15-01-2003, Lawspet Police Station, Puducherry – Acquitted.

11. Cr.No. 109/2003 under sections 147, 148, 307 IPC r/w 149 IPC, dated 28-06-2003 of Lawspet Police Station, Puducherry – Convicted.

4. The Petitioner further submitted that the Counter Petitioner was very active 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 and he violated the conditions imposed by the Criminal Courts and have scant respect to the judiciary and rule of law.

5. 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, extortion, assault, obstructions, annoyance, damages to public and private properties, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Mettupalayam 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 of citizens and uphold public peace 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 28-07-2023 to appear for the hearing on 22-08-2023 at 10.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Mettupalayam Police Station, Puducherry. The notice for the Counter Petitioner was received by his wife, Tmt. V. Kalpana. The service was held sufficient for the Counter Petitioner.

7. On 22-08-2023, the Petitioner represented by Thiru Ramalingam, Assistant Sub-Inspector, Mettupalayam 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 Vijay @ Kakka Viji (38), 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 11 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, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, extortion, obstructions, annoyance, damages to public and private properties, *etc.*, and thereby emerged as 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 Vijay @ Kakka Viji (38), son of Senathibathy, a resident of No. 07, 1st Cross, Anna Street, Shanmugapuram, 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 22nd day of August, 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. 84/2023 of I.R. No. 08/2023 Under Section 144 of Cr.P.C./2697

ORDER

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

State Represented by the Sub-Inspector of Police,
Mettupalayam Police Station,
Puducherry.

. . . Petitioner

Vs.

Thiru Dhinesh @ Kokkadi (24),
S/o. Rajendiran,
No. 28, Pump House Street,
Seran Nagar,
Muthirayarpalayam,
Puducherry.

. . . Counter Petitioner

1. This petition along with case sheet is filed by the Sub-Inspector of Police, Mettupalayam Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Dhinesh @ Kokkadi (24), 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 Dhinesh @ Kokkadi (24), S/o. Rajendiran, a resident of No. 28, Pump House Street, Seran Nagar, Muthirayarpalayam, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case is submitted by the Sub-Inspector of Police, Mettupalayam Police Station, Puducherry, with the recommendation of the Superintendent of Police (North), Puducherry *vide* I.R.No. 08/2023 under section 144 of Cr.P.C., dated 28-03-2023.

Therein, it has been stated that the Counter Petitioner has indulging in crimes such as murder, riot, extortion by using lethal weapons and disturbance to the public tranquility and order. 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. 77/2017 under sections 147,148, 294(b), 324, 506(i) r/w 149 IPC, dated 29-03-2017 of D'Nagar Police Station, Puducherry – Pending Trial.
2. Cr.No. 94/2019 under sections 147, 148, 294(b), 307, 302, 120-B IPC r/w 149 IPC, 73 of Explosive Substances Act of Vanur Police Station – Pending Trial.
3. Cr.No. 11/2020 under sections 294(b), 427, 324, 506(ii) r/w 34 IPC, dated 15-04-2020 of D'Nagar Police Station, Puducherry – Pending Trial.

4. The Petitioner further submitted that the Counter Petitioner was very active 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 and he violated the conditions imposed by the Criminal Courts and have scant respect to the judiciary and rule of law.

5. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Puducherry North limits, it is apprehended that he would continue to indulge in serious offences like hurt, assault, obstructions, annoyance, damages to public and private properties, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Mettupalayam 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 of citizens and uphold public peace 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 28-07-2023 to appear for the hearing on 22-08-2023 at 10.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Mettupalayam Police Station, Puducherry. The notice was received by the Counter Petitioner.

7. On 22-08-2023, the Petitioner represented by Thiru Ramalingam, Assistant Sub-Inspector, Mettupalayam 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 Dhinesh @ Kokkadi (24), 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 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, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, extortion, obstructions, annoyance, damages to public and private properties, *etc.*, and thereby emerged as 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 Dhinesh @ Kokkadi (24), son of Rajendiran, a resident of No. 28, Pump House Street, Seran Nagar, Muthirayarpalayam, 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 22nd day of August, 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. 85/2023 of I.R. No. 09/2023 Under Section 144 of Cr.P.C./2692

ORDER

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

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

. . . Petitioner

Vs.

Thiru Ilavarasan (38),
S/o. Vijayarangam,
No. 18, Gengaiamman Koil Street,
Dharmapuri,
Puducherry.

. . . Counter Petitioner

1. This petition along with case sheet is filed by the Station House Officer, Mettupalayam Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Ilavarasan (38), 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 Ilavarasan (38), son of Vijayarangam, a resident of No. 18, Gengaiamman Koil Street, Dharmapuri, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case is submitted by the Station House Officer, Mettupalayam Police Station, Puducherry, with the recommendation of the Superintendent of Police (North), Puducherry *vide* I.R.No. 09/2023 under section 144 of Cr.P.C., dated 29-03-2023. Therein, it has been stated that the Counter Petitioner has indulging in crimes such as murder, kidnapping, dacoity, hurt and disturbance to the public tranquility and order. 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. 175/2020 under section 364 IPC r/w 34 IPC, dated 27-11-2020 of Mettupalayam Police Station, Puducherry – Pending Trial.
2. Cr.No. 39/2017 under sections 147,148, 341, 302 r/w 149 IPC, dated 07-05-2017 of Mettupalayam Police Station, Puducherry – Pending Trial.
3. Cr.No. 09/2010 under sections 324, 323, 506 (ii) r/w 34 IPC, dated 15-01-2010 of Mettupalayam Police Station, Puducherry – Acquitted.
4. Cr.No. 94/2010 under sections 147, 148, 307, 326, 302 r/w 149 IPC, dated 30-05-2010 of Mettupalayam Police Station, Puducherry – Pending Trial.
5. Cr.No. 25/2014 under sections 341, 365, 323, 326, 342, 506(ii) IPC r/w 34 IPC, dated 03-03-2014 of Mettupalayam Police Station, Puducherry – Acquitted.
6. Cr.No. 27/2014 under section 188 IPC, dated 04-03-2014 of Mettupalayam Police Station, Puducherry – Acquitted.
7. Cr.No. 64/2014 under section 25 (i-a) of Arms Act 1959 r/w 34 IPC, dated 04-06-2014 of Mettupalayam Police Station, Puducherry – Pending Trial.
8. Cr.No. 140/2014 under section 399 IPC, dated 28-03-2014 of Dhindivanam Police Station, Tamil Nadu – Pending Trial.

4. The Petitioner further submitted that the Counter Petitioner was very active 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 and he violated the conditions imposed by the Criminal Courts and have scant respect to the judiciary and rule of law.

5. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Puducherry North limits, it is apprehended that he would continue to indulge in serious offences like murder, extortion, robbery, hurt, assault, obstructions, annoyance, damages to public and private properties, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Mettupalayam 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 of citizens and uphold public peace 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 28-07-2023 to appear for the hearing on 22-08-2023 at 10.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Mettupalayam Police Station, Puducherry. The notice was received by the Counter Petitioner.

7. On 22-08-2023, the Petitioner represented by Thiru Ramalingam, Assistant Sub-Inspector, Mettupalayam 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 Ilavarasan (38), 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 8 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, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, extortion, obstructions, annoyance, damages to public and private properties, *etc.*, and thereby emerged as 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 Ilavarasan (38), son of Vijayarangam, a resident of No. 18, Gengaiamman Koil Street, Dharmapuri, 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 22nd day of August, 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. 86/2023 of I.R. No. 10/2023 Under Section 144 of Cr.P.C./2696

ORDER

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

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

. . . Petitioner

Vs.

Thiru Muthu Kumar @ Muthu (29),
S/o. Sankar,
No. 187, LIG Housing Board Quarters,
Kurumampet,
Puducherry.

. . . Counter Petitioner

1. This petition along with case sheet is filed by the Station House Officer, Mettupalayam Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Muthu Kumar @ Muthu (29), 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 Muthu Kumar @ Muthu (29) son of Sankar, a resident of No. 187, LIG Housing Board Quarters, Kurumampet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case is submitted by the Station House Officer, Mettupalayam Police Station, Puducherry, with the recommendation of the Superintendent of Police (North), Puducherry *vide* I.R.No. 10/2023 under section 144 of Cr.P.C., dated 31-03-2023. Therein, it has been stated that the Counter Petitioner has indulging in crimes such as murder, kidnapping, extortion, intimidation and disturbance to the public tranquility and order. 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. 64/2014 under section 25 (1) (a) of Arms Act 1959 r/w 34 IPC, dated 04-06-2014 of Mettupalayam Police Station, Puducherry.
2. Cr.No. 78/2014 under section 324 IPC r/w 34 IPC, dated 28-06-2014 of Mettupalayam Police Station, Puducherry.
3. Cr.No. 122/2014 under section 25 (1) (a) of Arms Act 1959, dated 06-10-2014 of Mettupalayam Police Station, Puducherry.
4. Cr.No. 39/2017 under sections 48, 342, 302, 109 IPC r/w 149 IPC, dated 07-05-2017 of Mettupalayam Police Station, Puducherry.
5. Cr.No. 175/2020 under section 364 IPC r/w 34 IPC, dated 27-11-2020 of Mettupalayam Police Station, Puducherry.

4. The Petitioner further submitted that the Counter Petitioner was very active 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 and he violated the conditions imposed by the Criminal Courts and have scant respect to the judiciary and rule of law.

5. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Puducherry North limits, it is apprehended that he would continue to indulge in serious offences like murder, extortion, assault, obstructions, annoyance, damages to public and private properties, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Mettupalayam 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 of citizens and uphold public peace 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 28-07-2023 to appear for the hearing on 22-08-2023 at 10.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Mettupalayam Police Station, Puducherry. The notice for the Counter Petitioner was received by his mother, Tmt. Vennila (45). The service was held sufficient for the Counter Petitioner.

7. On 22-08-2023, the Petitioner represented by Thiru Ramalingam, Assistant Sub-Inspector, Mettupalayam 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 Muthu Kumar @ Muthu (29), 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.

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, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, extortion, obstructions, annoyance, damages to public and private properties, *etc.*, and thereby emerged as 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 Muthu Kumar @ Muthu (29), son of Sankar, a resident of No. 187, LIG Housing Board Quarters, Kurumampet, 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 22nd day of August, 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. 88/2023 of I.R. No. 10/2023 Under Section 144 of Cr.P.C./2693

ORDER

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

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

. . . Petitioner

Vs.

Thiru Natarajan @ Katterumbu Natarajan (41),
S/o. Palani,
No. 17, Middle Street,
Sanarapet,
Mettupalayam,
Puducherry.

. . . Counter Petitioner

1. This petition along with case sheet is filed by the Station House Officer, Mettupalayam Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Natarajan @ Katterumbu Natarajan (41), 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 Natarajan @ Katterumbu Natarajan (41), son of Palani, a resident of No. 17, Middle Street, Sanarapet, Mettupalayam, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case is submitted by the Station House Officer, Mettupalayam Police Station, Puducherry, with the recommendation of the Superintendent of Police (North), Puducherry *vide* I.R.No. 12/2023 under section 144 of Cr.P.C., dated 04-04-2023. Therein, it has been stated that the Counter Petitioner has indulging in crimes such as robbery, dacoity, riot, hurt, burglaries and disturbance to the public tranquility and order. 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.49/1999 under sections 457, 380 r/w 34 IPC, dated 22-06-1999 of Mettupalayam Police Station, Puducherry – Convicted.
2. Cr.No. 61/2000 under sections 457, 380 r/w 34 IPC, dated 25-08-2000 of Mettupalayam Police Station, Puducherry – Convicted.
3. Cr.No. 97/2000 under sections 452, 324 r/w 34 IPC, dated 12-12-2000 of Mettupalayam Police Station, Puducherry – Acquitted.
4. Cr.No. 120/2001 under sections 341, 323, 506 (i) r/w 34 IPC, dated 20-11-2001 of Mettupalayam Police Station, Puducherry – Compounded.
5. Cr.No. 70/2003 under sections 341, 323, 427 IPC r/w 34 IPC, dated 22-08-2003 of Mettupalayam Police Station, Puducherry – Compounded.
6. Cr.No. 359/2003 under sections 326, 427 r/w 34 IPC, dated 26-09-2003 of Villianur Police Station, Puducherry – Pending Trial.
7. Cr.No. 124/2004 under sections 147, 148, 448, 324, 506 (ii) IPC r/w 149 IPC, dated 26-08-2004 of Mettupalayam Police Station, Puducherry – Pending Trial.
8. Cr.No. 436/2005 under sections 392, 397 r/w 120(B) IPC, dated 12-04-2005 of Panruti Police Station, Tamil Nadu – Pending Trial.
9. Cr.No. 21/2007 under sections 380 IPC r/w 34 IPC, dated 02-02-2007 of Mettupalayam Police Station, Puducherry – Pending Trial.
10. Cr.No. 114/2009 under sections 457, 380 IPC, dated 04-07-2009 of Mettupalayam Police Station, Puducherry – Pending Trial.
11. Cr.No. 05/2010 under sections 294, 427, 323, 506 (ii) r/w 34 IPC, dated 08-01-2010 of Mettupalayam Police Station, Puducherry – Pending Trial.
12. Cr.No. 14/2010 under sections 341, 324, 506 (ii) r/w 34 IPC, dated 24-01-2010 of Mettupalayam Police Station, Puducherry – Pending Trial.
13. Cr.No. 159/2010 under sections 27(1-a) of Arms Act, 506 (ii) IPC, dated 17-09-2010 of Mettupalayam Police Station, Puducherry – Pending Trial.
14. Cr.No. 233/2010 under sections 341, 294(B), 394 IPC, dated 22-04-2010 of Dhindivanam Police Station, Tamil Nadu – Pending Trial.
15. Cr.No. 21/2012 under section 25(1-a) of Arms Act, dated 13-02-2012 of Mettupalayam Police Station, Puducherry – Pending Trial.
16. Cr.No. 100/2012 under sections 25(1-a) of Arms Act, dated 10-06-2012 of Mettupalayam Police Station, Puducherry – Pending Trial.
17. Cr.No. 10/2014 under sections 457, 380 IPC, dated 15-01-2014 of Mettupalayam Police Station, Puducherry – Pending Trial.

4. The Petitioner further submitted that the Counter Petitioner was very active 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 and he violated the conditions imposed by the Criminal Courts and have scant respect to the judiciary and rule of law.

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

Station House Officer, Mettupalayam 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 of citizens and uphold public peace 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 28-07-2023 to appear for the hearing on 22-08-2023 at 10.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Mettupalayam Police Station, Puducherry.

7. On 22-08-2023, the Petitioner represented by Thiru. Ramalingam, Assistant Sub-Inspector, Mettupalayam 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 Natarajan @ Katterumbu Natarajan (41), 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 assault, unlawful activities and disturbance to the public peace and order. There are 17 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, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, extortion, obstructions, annoyance, damages to public and private properties, *etc.*, and thereby emerged as 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 Natarajan @ Katterumbu Natarajan (41), son of Palani, a resident of No. 17, Middle Street, Sanarapet, Mettupalayam, 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 22nd day of August, 2023 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).