



புதுச்சேரி மாநில அரசிதழ்

La Gazette de L'État de Poudouchéry

The Gazette of Puducherry

PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

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அதிகாரம் பெற்ற
வெளியீடு

Publiée par
Autorité

Published by
Authority

எண் } No. } No. }	100	புதுச்சேரி Poudouchéry Puducherry	புதன்கிழமை Mercredi Wednesday	2023 ௦6 6 6th	செப்டம்பர் 6 Septembre September	6 ௨ 2023 (15 Bhadra 1945) 2023
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IN THE COURT OF SUBDIVISIONAL MAGISTRATE, KARAIKAL

M.C. No. 68/2023

I.R.No. 14/2023 of
Neravy Police Station, Karaikal, dated 16-08-2023.

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. 14/2023, dated 16-08-2023 under section 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-th Cross Extension, Nethaji Nagar, Karaikal, with in the jurisdiction of this Court. She has been reportedly indulging in serious offences like organized murders, extortion, hurt, criminal intimidation and thereby became a perennial source of threat to the community and disturbance to the public tranquility. She is reported to be a notorious rowdy element and is being watched by the Police constantly in the interest of Public Order.

2. Whereas, the information laid by the Station House Officer, Neravy Police Station, Karaikal, under section 144 (i), (ii) and (iii) of Cr.P.C. with reference to I.R. No. 14/2023, dated 16-08-2023 in which the record of previous Criminal cases registered against the Counter Petitioner has been listed out in detail.

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) with the banner of her above organization, 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. 14/2023, dated 16-08-2023 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 also submitted that on 15-08-2023 at 17.30 hrs., while himself being Thiru S. Selvaraj, SGASI of Police of the Neravy Police Station, Karaikal and also on 16-08-2023 at 16.30 hrs. Thiru A.C.Ragu, SGASI of Police of the Neravy Police Station, Karaikal, have reported while performing rounds in their Neravy Police Station Limits, that they received reliable information that the Counter Petitioner namely, Ezhilarasi @ Meera along with her husband namely, Thiru Vivi @ Vikram @ Vikraman, together had threatened and they had been planning to eliminate one Siva Kalimuthu of 2nd Saalai, Neravy, Karaikal, at his residence, having developed rivalry with him on business terms. Further, that on 16-08-2023, during routine rounds at 19.45 hrs., while performing rounds in the Police Station limits of Neravy Police Station, Karaikal, the Station House Officer namely, Thiru A.Muthusamy, Sub-Inspector of Police received a reliable information, the Counter Petitioner namely, Ezhilarasi @ Meera, is likely to create Law and Order problem in the Neravy Police Station, Karaikal limits.

5. 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 jurisdiction of this Court. Hence, at 20.15 hrs. by registering one I.R.No.14/2023, dated 16-08-2023 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. Whereas, the Petitioner has also submitted that on 15-08-2023 at 17.30 hrs., while himself being Thiru S.Selvaraj, SGASI of Police of the Neravy Police Station, Karaikal and also on 16-08-2023 at 16.30 hrs. Thiru A.C.Ragu, SGASI of Police of the Neravy Police Station, Karaikal, have reported while performing rounds in their Neravy Police Station Limits, that they received reliable information that the Counter Petitioner namely, Ezhilarasi @ Meera, along with her husband namely, Thiru Vivi @ Vikram @ Vikraman together had threatened and they had been planning to eliminate one Siva Kalimuthu of 2nd Saalai, Neravy, Karaikal, at his

residence, having developed rivalry with him on business terms. Further, that on 16-08-2023, during routine rounds at 19.45 hrs., while performing rounds in the Police Station limits of Neravy Police Station, Karaikal, the Station House Officer namely, Thiru A.Muthusamy, Sub-Inspector of Police 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, at 20.15 hrs. by registering one I.R.No. 14/2023, dated 16-08-2023 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.

7. Whereas, the Counter Petitioner as mentioned hereunder was summoned to appear before this Court to answer the show cause notice issued under section 144 (i), (ii) and (iii) of Cr.P.C. to cause her to appear before this Court on 23-08-2023 at 3.30 p.m. while she was called absent and the Petitioner Police from Neravy Police Station, Karaikal, stated to have served the show cause notice by affixing the same at the Main entry gate of the Counter Petitioner's notified residence following which she was reported to be absconding from appearance before this Court and hence, she was called absent during the following date of enquiry as scheduled before this Court by stating no reasons for her absence. I am also satisfied with the information available that the Counter Petitioner is likely cause breach of peace and it could not be prevented otherwise than by the immediate arrest of the Counter Petitioner.

8. Whereas, arrest warrant under section 70 of Cr.P.C., dated 24-08-2023 was issued by this Court with directions to the Station House Officer, Neravy Police Station, Karaikal, to arrest the Counter Petitioner namely, Ezhilarasi @ Meera, so as to produce her before this Court on 30-08-2023 without fail. While the Station House Officer, Neravy Police Station, Karaikal, appeared before this Court on 30-08-2023 only to file a special report before this Court stating that the arrest warrant issued by this Court could not be executed since, the Counter Petitioner is said to be absconding from her notified and usual residential address and also the Station House Officer had prayed for orders under section 144 (i), (ii) and (iii) of Cr.P.C. to restrain the Counter Petitioner from entering into the Karaikal District for a period of two months with immediate effect as an *ex parte* Prohibitory Order.

9. 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. 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 show cause 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. 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 section 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 or sixty 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 she is required to obey the directions of any of the Courts.

Given under my hand and seal of this Court on the 30th day of August 2023 at Karaikal.

G. JOHNSON,
Subdivisional Magistrate.

To

Ezhilarasi @ Meera (41),
D/o. Dharmalingam,
Plot Nos. 54 and 55,
V Cross Extension,
Nethaji Nagar,
Neravy PSL,
Karaikal.

. . . Counter Petitioner

IN THE COURT OF SUBDIVISIONAL MAGISTRATE, KARAİKAL

M.C. No. 69/2023

**I.R.No. 15/2023 of
Neravy Police Station, Karaikal, dated 16-08-2023.**

**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. 15/2023, dated 16-08-2023 under section 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, Thiru Vive @ Vikram ©Vikraman (40), son of Dhanapal @ Jaganathan, residing at Plot Nos. 54 and 55, V-th Cross Extension, Nethaji Nagar, Karaikal, with in the jurisdiction of this Court. He has been reportedly indulging in serious offences like organized murders, extortion, hurt, criminal intimidation and thereby became a perennial source of threat to the community and disturbance to the public tranquility. He is reported to be a notorious rowdy element and is being watched by the Police constantly in the interest of Public Order.

2. Whereas, the information laid by the Station House Officer, Neravy Police Station, Karaikal, under section 144 (i), (ii) and (iii) of Cr.P.C. with reference to I.R.No. 15/2023, dated 16-08-2023 in which the record of previous Criminal cases registered against the Counter Petitioner has been listed out in detail.

The petitioner further submits that the Counter Petitioner is none other that the strong supporter and reliable associate of one gangster namely, Ezhilarasi of Nethaji Nagar, with in the Neravy Police Station limits. She is being guided and guarded by the Counter Petitioner Vikraman and hence, they are staying together

at the same residence of Nos. 54 and 55, V-th 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 organization in the name and style as "SRR Arakkattalai (எஸ்.ஆர்.ஆர். அறக்கட்டளை)"

4. The facts and circumstances elicited in supra, conferred on the Counter 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. 15/2023, dated 16-08-2023 under section 110 Cr.P.C. are liable for penal action in nature, whereas the provision of 144 of Cr.P.C. is preventive.

5. Whereas, the Petitioner has submitted that on 15-08-2023 at 17.30 hrs., while himself being Thiru S.Selvaraj, SGASI of Police of the Neravy Police Station, Karaikal and also on 16-08-2023 at 16.30 hrs. Thiru A.C.Ragu, SGASI of Police of the Neravy Police Station, Karaikal, have reported that while performing rounds in their Neravy Police Station Limits, that they received reliable information that the Counter Petitioner namely, Thiru Vivi @ Vikram @ Vikraman along with his wife namely, Ezhilarasi @ Meera, together had threatened one Siva Kalimuthu of 2nd Saalai, Neravy, Karaikal, at his residence.

6. They had been planning to eliminate the said Siva Kalimuthu of 2nd Saalai, Neravy, Karaikal, at his residence, having developed rivalry with him on business terms. Further, that on 16-08-2023, during routine rounds at 21.00 hrs., while performing rounds in the Police Station limits of Neravy Police Station, Karaikal, the Station House Officer namely, Thiru A.Muthusamy, Sub-Inspector of Police received a reliable information the Counter Petitioner namely, Thiru Vivi @ Vikram @ Vikraman, along with his wife 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, at 20.15 hrs. by registering one I.R.No. 14/2023, 16-08-2023 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.

7. Whereas, the Counter Petitioner as mentioned hereunder was summoned to appear before this Court to answer the show cause notice issued under section 144 (i), (ii) and (iii) of Cr.P.C. to cause him to appear before this Court on 23-08-2023 at 3.30 p.m. while he was called absent and the Petitioner Police from Neravy Police Station stated to have served the show cause notice by affixing the same at the Main entry gate of the Counter Petitioner's notified residence following which he was reported to be absconding from appearance before this Court and hence, he was called absent during the following date of enquiry as scheduled before this Court by stating no reasons for his absence. I am also satisfied with the information available that the Counter petitioner is likely to cause breach of peace and it could not be prevented otherwise than by the immediate arrest of the Counter Petitioner.

8. Whereas, arrest warrant under section 70 of Cr.P.C., dated 24-08-2023 was issued by this Court with directions to the Station House Officer, Neravy Police Station, Karaikal, to arrest the Counter Petitioner namely, Thiru Vivi @ Vikram @ Vikraman, so as to produce him before this Court on 30-08-2023 without fail. While the Station House Officer, Neravy Police Station, Karaikal, appeared before this Court on 30-08-2023 only to file a special report before this Court stating that the arrest warrant issued by this Court could not be executed since the Counter Petitioner is said to be absconding from his notified and usual residential address and also the Station House Officer had prayed for orders under section 144 (i), (ii) and (iii) of Cr.P.C. to restrain the Counter Petitioner from entering into the Karaikal District for a period of two months with immediate effect as an *ex parte* Prohibitory Order.

9. 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. 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 show cause notice to him as provided under the Code could not be followed and that his activities will endanger human life and properties and the presence of the Counter Petitioner is a threat to public tranquility in my Subdivision. 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 Thiru Vive @ Vikram @ Vikraman (40), son of Dhanapal @ Jaganathan, under section 144 (i), (ii) and (iii) 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 sixty 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 required to obey the directions of any of the Courts.

Given under my hand and seal of this Court on the 30th day of August 2023 at Karaikal.

G. JOHNSON,
Subdivisional Magistrate.

To

Vive @ Vikram @ Vikraman (40),
S/o. Dhanapal @ Jaganathan,
Plot Nos. 54 and 55,
V Cross Extension,
Nethaji Nagar,
Karaikal.

. . . Counter Petitioner