



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.		Poudouchéry	Mardi	2	Avril	2024 (13 Chaitra 1946)
No.		Puducherry	Tuesday	2nd	April	2024

IN THE COURT OF SUBDIVISIONAL MAGISTRATE (NORTH)
AT PUDUCHERRY

Present : Thiru ARJUN RAMAKRISHNAN,
Subdivisional Magistrate (North).

M.C. No. 33/2024 of I.R. No. 62/2023 Under Section 144 of Cr.P.C./666

ORDER

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

To

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

.... Petitioner

Vs.

Anbu @ Anbarasan (19),
S/o. Annadurai,
Salai Street,
Oulgaret,
Puducherry.

.... Counter Petitioner

1. This petition along with case sheet is filed by Station House Officer, Reddiarpalayam Police Station, Puducherry, praying to pass orders under section 144 Cr.P.C., against Thiru Anbu @ Anbarasan (19), 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 Anbu @ Anbarasan (19), S/o. Annadurai, Salai Street, Oulgaret, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Reddiarpalayam Police Station, Puducherry, with the recommendation of the Superintendent of Police (North), Puducherry *vide* I.R. No. 62/ 2023, under section 144 of Cr. P.C., dated. 06-12-2023. Therein it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as extortion, hurt and disturbance to the public tranquility and order. It is also stated that he is leading lavish life with the money earned through extortion. As a result the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal case was registered against the Counter Petitioner.

1. Cr. No. 175/2023 under sections 324, 506(II) IPC r/w 34 IPC, dated 02-09-2023 of Grand Bazar Police Station, Puducherry.
2. Cr. No. 279/2023 under sections 294(b), 506(ii) IPC r/w 34 IPC, dated 18-11-20238 of Orleanpet Police Station, Puducherry.

4. The Petitioner further stated that the Counter Petitioner is a rowdy element and become a source of terror among the public.

5. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner is maintain the mass group of youngsters at Srinivasan Apartment, Oulgaret and surrounding areas and gave money, alcohol to them. The Petitioner also stated that the Counter Petitioner earned displeasure among a section of other rowdy group in the area on account of the grudge against him and hence, rival group is also waiting opportunity to take revenge upon him.

6. The Petitioner further submitted that if, Counter Petitioner is allowed to reside in Puducherry limits, it is apprehended that he would continue to indulge in serious offences like assault, obstructions, annoyance, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Reddiarpalayam Police Station, Puducherry, has prayed to invoke provisions under section 144 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 18-03-2024 to appear for the hearing on 22-03-2024 at 10.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Reddiyarpalayam Police Station, Puducherry. The notice for the Counter Petitioner was received by his mother Tmt. Arayi. The service was held sufficient for the Counter Petitioner.

8. On 22-03-2024, the Petitioner was present and 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 Anbu @ Anbarasan 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 unlawful activities and disturbance to the public peace and order. There are two criminal cases were registered against him in various Police Stations.

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

11. Hence, I Arjun Ramakrishnan, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Anbu @ Anbarasan (19),s/o. Annadurai,Salai Street, Oulgaret, 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.

At Puducherry, dated on this 22nd day of March, 2024 pronounced in the open Court.

ARJUN RAMAKRISHNAN,
Subdivisional Magistrate (North).

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

Present : Thiru ARJUN RAMAKRISHNAN,
Subdivisional Magistrate (North).

M.C. No. 35/2024 of I.R. No. 01/2024 Under Section 144 of Cr.P.C./667

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

To

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

.... Petitioner

Vs.

Lokesh @ Lokeshwaran (22),
S/o. Saravanan,
No. 16, New Street,
Pavazha Nagar,
Puducherry.

.... Counter Petitioner

This petition along with case sheet is filed by Station House Officer, Reddiyarpalayam Police Station, Puducherry, praying to pass orders under section 144 of Cr. P.C. against Thiru. Lokesh @ Lokeshwaran (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 Lokesh @ Lokeshwaran (22), s/o. Saravanan, No. 16, New Street, Pavazha Nagar, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Reddiyarpalayam Police Station, Puducherry, with the recommendation of the Superintendent of Police (North), Puducherry *vide* I.R. No. 01/2024, under section 144 of Cr. P.C, dated 22-01-2024. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and bent upon indulging in crime such as murder, extortion, hurt and disturbance to the public tranquility and order. It is also stated that he is leading lavish life with the money earned through extortion. As a result, the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal case was registered against the Counter Petitioner.

1. Cr. No. 253/2023, under sections 120(b), 147, 148, 341, 302 IPC of Kottakuppam Police Station, Tamil Nadu.

4. The Petitioner further stated that the Counter Petitioner is a rowdy element and become a source of terror among the public.

5. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner is maintain the mass group of youngsters at Pavanar Nagar, Reddiarpalayam and surrounding areas and gave money, alcohol to them. 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. Hence, the Station House Officer, Reddiarpalayam Police Station has prayed to invoke provisions under section 144 of Cr. P.C., against the Counter Petitioner to not to enter into the jurisdiction of this Court for a period of two months as to prevent danger to the human life and properties, and disturbance to the public tranquility and order.

7. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 18-03-2024 to appear for the hearing on 22-03-2024 at 10.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Reddiarpalayam Police Station, Puducherry.

8. On 22-03-2024, the Petitioner was present and 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 Lokesh @ Lokeshwaran (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, unlawful activities and disturbance to the public peace and order. There is one criminal case was registered against him in Kottakuppam Police Station.

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

11. Hence, I Arjun Ramakrishnan, do hereby in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Lokesh @ Lokeshwaran (22), s/o. Saravanan, No. 16, New Street, Pavazha Nagar, 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.

At Puducherry, dated on this 22nd day of March, 2024 pronounced in the open Court.

ARJUN RAMAKRISHNAN,
Subdivisional Magistrate (North).

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

Present : Thiru ARJUN RAMAKRISHNAN,
Subdivisional Magistrate (North).

M.C. No. 45/2024 of I.R. No. 09/2024 Under Section 144 of Cr.P.C./663

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

To

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

.... Petitioner

Vs.

Sabarinathan @ Sabari (23),
s/o. Sakthivel,
No. 48, Angalamman Koil Street,
Pooranankuppam,
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 Sabarinathan @ Sabari (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. The Counter Petitioner is Sabarinathan @ Sabari (23), s/o Sakthivel, No. 48, Angalamman Koil Street, Pooranankuppam, 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, through the Superintendent of Police (South), Puducherry *vide* I.R. No. 09/2024, under section 144 of Cr. P.C. dated 25-02-2024. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crimes such as murder, hurt cases 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. 02/2021, under sections 143, 148, 307, 323, 324 IPC r/w 149 IPC @ 120(b), 148, 302 r/w 149 IPC of Thavalakuppam Police Station, Puducherry, dated 01-01-2021.
2. I.R. No. 80/2021, under section 144 of Cr. P.C., dated 11-06-2021.

4. The Petitioner further stated that the Counter Petitioner is not a law abiding citizen and he was often violating the conditions imposed by the Court while he was released on bail and become a source of terror among the public.

5. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner 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. He is hatching plans to threaten the business people in the Puducherry area and extort money from them by threatening. 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. It is also stated in the I.R. that the Counter Petitioner is young and energetic and shows his muscle power by committing offences for petty reasons. It is further stated in the I.R. that he is very active and may commit any cognizable offence in connection with the prevailing law and order situation in that area.

7. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Thavalakuppam Police Station limits, it is apprehended that he would continue to indulge in serious offences like murder, attempt to murder and damages to public and private properties, assault, obstructions and 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 has prayed to invoke provisions u/s 144 of Cr. P.C. against the Counter Petitioner to not to enter into the jurisdiction of this Court for a period of two months as to prevent danger to the human life and properties, and disturbance to the public tranquility and order.

8. 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 20-03-2024 to appear for the hearing on 21-03-2024 at 10.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Thavalakuppam Police Station, Puducherry. The notice for the Counter Petitioner was received by his mother, Tmt. Saraswathi. The service was held sufficient for the Counter Petitioner.

9. On 21-03-2024, the Petitioner, Thavalakuppam Police Station, Puducherry was present. The Counter Petitioner has failed to appear before the Court on hearing date.

10. 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 Sabarinathan @ Sabari (23), is in such a manner that he may cause breach of peace and create a problem of law and order and public tranquility. He has involved in crimes such as murder, unlawful activities and disturbance to the public peace and order. There are 02 criminal cases were registered against him in Thavalakuppam Police Station, Puducherry.

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

12. Hence, I Arjun Ramakrishnan, do hereby in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Sabarinathan @ Sabari (23), s/o. Sakthivel, No. 48, Angalamman Koil Street, Pooranankuppam, 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.

Howecer, the Counter Petitioner may represnted against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 21st day of March, 2024 pronounced in the open Court.

ARJUN RAMAKRISHNAN,
Subdivisional Magistrate (North).

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

Present : Thiru ARJUN RAMAKRISHNAN,
Subdivisional Magistrate (North).

M.C. No. 60/2024 of I.R. No. 35/2023 Under Section 144 of Cr.P.C./664

ORDER

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

To
State, Represented by the Station House Officer,
Orleanpet Police Station,
Puducherry. Petitioner

Vs.

Mano @ Manohar (32),
S/o. Mathiazhagan,
No. 1, VIII Cross,
Sakthi Nagar,
Puducherry. Counter Petitioner

1. This petition along with case sheet is filed by the Station House Officer, Orleanpet Police Station, Puducherry, praying to pass orders under section 144 Cr. P.C., against Thiru Mano @ Manohar (32), 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 Mano @ Manohar (32), s/o Mathiazhagan, No. 1, VIII Cross, Sakthi Nagar, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Orleanpet Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R.No. 35/2023, under section 144 of Cr. P.C., dated 08-11-2023. Therein it has been stated that the Counter Petitioner have formed a gang of rowdies and indulging in crimes such as murder, arms, hurt, explosive cases and disturbance to the public tranquility and order. 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. 196/09 under sections 148 IPC and 3 (a) of Explosive Substance Act 1908 and 3 Damage of Puplic Property Act 1984 rw 149 IPC of 'D' Nagar Police Station.—Pending Trail.
2. Cr. No. 330/09 under sections 399, 402 IPC and 27(1) of Arms Act of 'D' Nagar Police Station.—Pending Trail in PRC No. 5/10.
3. Cr. No. 170/10 under sections 147, 148, 302 r/w 149 IPC and 3 of Explosive Substances Act 1908 of Grand Bazaar Police Station.—Pending Trail.

4. Cr. No. 325/11 under section 27(1) Arms Act and 506(2) r/w 34 IPC—Pending Trail.
5. Cr. No. 377/11 under section 27(1) Arms Act and 34 B IX PP Act—Pending Trail.
6. Cr. No. 148/2018 under sections 323, 294(b), 506(ii) r/w 34 IPC, dated 27-08-2018—Pending Trail.
7. Cr. No. 165/2022 under section Women Missing @ 302, 201 IPC r/w 34 IPC, Mudaliyarpet Police Station.—Pending Trail.

4. The Petitioner further stated that the Counter Petitioner is not a law abiding citizen and he was often violating the conditions imposed by the Court while he was released on bail and become a source of terror among the public.

5. It is also stated in the I.R that the Station House Officer had received reliable information that the Counter Petitioner 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. He is hatching plans to threaten the business people in the Puducherry area and extort money from them by threatening. 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. It is also stated in the I.R that the Counter Petitioner is young and energetic and shows his muscle power by committing offences for petty reasons. It is further stated in the I.R that he is very active and may commit any cognizable offence in connection with the prevailing law and order situation in that area.

7. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Orleanpet Police Station limits, it is apprehended that he would continue to indulge in serious offences like criminal intimidation, criminal trespass, affray, riot, assault, obstructions and 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, Orleanpet Police Station has prayed to invoke provisions u/s 144 of Cr. P.C against the Counter Petitioner to not to enter into the jurisdiction of this Court for a period of two months as to prevent danger to the human life and properties and disturbance to the public tranquility and order.

8. 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 18-03-2024 to appear for the hearing on 21-03-2024 at 10.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Orleanpet Police Station, Puducherry. The notice was received by the Counter Petitioner.

9. On 21-03-2024, the Petitioner, and the Counter Petitioner were present.

10. 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 Mano @ Manohar (32), 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, arms, explosive cases, unlawful activities and disturbance to the public peace and order. There are 07 criminal case was registered against him in various Police Stations.

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

12. Hence, I Arjun Ramakrishnan, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry in exercise of powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Mano @ Manohar (32), s/o. Mathiazhagan, No. 1, VIII Cross, Sakthi Nagar, 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.

Howecer, the Counter Petitioner may represnted against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 21st day of March, 2024 pronounced in the open Court.

ARJUN RAMAKRISHNAN,
Subdivisional Magistrate (North).

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

Present : Thiru ARJUN RAMAKRISHNAN,
Subdivisional Magistrate (North).

M.C. No. 63/2024 of I.R. No. 47/2023 Under Section 144 of Cr.P.C./665

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

To

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

.... Petitioner

Vs.

Joel @ Joel Sandanassamy (24),
S/o. Periyamayagam,
No. 43, III Cross, Kennedy Nagar,
Orleanpet, Puducherry.

.... Counter Petitioner

1. This petition along with case sheet is filed by the Station House Officer, Orleanpet Police Station, Puducherr, praying to pass orders under section 144 of Cr. P.C., against Thiru Joel @ Joel Sandanassamy (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 Joel @ Joel Sandanassamy (24), s/o. Periyamayagam, No. 43, III Cross, Kennedy Nagar, Orleanpet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Orleanpet Police Station, Puducherry, through the Superintendent of Police (South), Puducherry vide LR. No. 47/2023, under section 144 of Cr. P.C., dated 17-11-2023. Therein it has been stated that the Counter Petitioner have formed a gang of rowdies and indulging in crimes such as murder, explosive cases and disturbance to the public tranquility and order. 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. 167/17 under section 160 IPC—Pending Trail.
2. Cr. No. 213/18 under sections 294(b), 323, 324, 506(ii) r/w 34 IPC, dated 29-10-2018 of Orleanpet Police Station.—Pending Trail.
3. Cr. No.38/2020 under section 20(b) r/w 8(c) of NDPS Act and 77 of JJ Act of Mudaliarpot Police Station, dated 21-02-2020.—Pending Trail.
4. Cr. No. 877/2020 under section 399 IPC of Kottakuppam Police Station, dated 08-06-2020.—Pending Trail.
5. Cr. No. 127/2022 under section 324, 506 (ii) IPC, dated 16-06-2022.—Pending Trail.
6. Cr. No. 141/2023 under section 5 of Explosive act and 25 (1) (A) of Arms act, dated 11-07-2023 of Mudaliarpot Police Station.—Pending Trail.

4. The Petitioner further stated that the Counter Petitioner is not a law abiding citizen and he was often violating the conditions imposed by the Court while he was released on bail and become a source of terror among the public.

5. It is also stated in the I.R that the Station House Officer had received reliable information that the Counter Petitioner 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. He is hatching plans to threaten the business people in the Puducherry area and extort money from them by threatening. 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. It is also stated in the I.R that the Counter Petitioner is young and energetic and shows his muscle power by committing offences for petty reasons. It is further stated in the I.R that he is very active and may commit any cognizable offence in connection with the prevailing law and order situation in that area.

7. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Orleanpet Police Station limits, it is apprehended that he would continue to indulge in serious offences like murder, extortion, damages to the public and private properties, assault, obstructions and 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, Orleanpet 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.

8. 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 18-03-2024 to appear for the hearing on 21-03-2024 at 10.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Orleanpet Police Station, Puducherry. The notice was received by the Counter Petitioner.

9. On 21-03-2024, the Petitioner, was present. The Counter Petitioner has failed to appear before the Court on hearing date.

10. 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 Joel @ Joel Sandanasamy (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 explosive case, unlawful activities and disturbance to the public peace and order. There are 6 criminal case were registered against him in various Police Stations.

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

12. Hence, I Arjun Ramakrishnan, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Joel @ Joel Sandanassamy (24),

s/o. Periyamayagam, No. 43, III Cross, Kennedy Nagar, Orleanpet, 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.

Howecer, the Counter Petitioner may represnted against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 21st day of March, 2024 pronounced in the open Court.

ARJUN RAMAKRISHNAN,
Subdivisional Magistrate (North).

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