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# 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

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

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

M.C. No. 20/2024 of I.R. No. 01/2024 Under Section 144 of Cr.P.C./698

#### ORDER

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

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

.. Petitioner

Vs.

Thiru Gowthaman (26),  
S/o. Narayanan,  
No. 52, Thideer Nagar,  
Chinnakalpet,  
Puducherry.

.. Counter Petitioner

This petition along with case sheet filed by Station House Officer, Thiru S.R. Kumar, Sub-Inspector, Kalapet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Gowthaman, 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 Thiru Gowthaman (26), son of Narayanan, is a resident of No. 52, Thideer Nagar, Chinnakalpet, Puducherry.

3. ***The facts which led up to the petition are briefly as follows:*** The case referred by the Station House Officer, Kalapet Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R.No. 01/2024 under section 144 of Cr.P.C., dated 02-01-2024 that you have formed a gang of rowdies and bent upon indulging in crime such as murder, attempt to murder, grievous hurt, extortion and disturbance to the public peace and tranquility and you have created panic in the minds of local inhabitants in the Police Station limits. As a result, the people of the locality being afraid of you 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. 57/2015 under sections 147, 148, 341, 427, 324, 307, 506(ii) r/w 149 IPC, dated 02-09-2015 of Kalapet Police Station, Puducherry.
2. Cr.No. 58/2016 under sections 294(b), 324, 506(ii) IPC r/w 34 IPC @ 143, 147, 148, 294(b), 307, 506(ii) IPC r/w 149 IPC, dated 08-06-2016 of Kalapet Police Station, Puducherry.
3. Cr.No. 115/2017 under sections 326, 506(ii) r/w 34 IPC, dated 24-11-2017 of Kalapet Police Station, Puducherry.
4. Cr.No. 306/2019 under sections 147, 148, 294(b), 341, 324, 120(b), 307, 302 IPC, dated 11-07-2019 of Kottakuppam Police Station, Tamil Nadu.

4. The Petitioner has also submitted that the Counter Petitioner is not a law abiding citizen, he has often violated the conditions imposed by the Court while he was released on bail. He is very active and therefore, his criminal activities cannot be prevented by invoking the mere security proceedings under the Cr.P.C.;

5. The Petitioner also submitted that the Counter Petitioner threaten the business people in the Puducherry area and extort money from them by threatening. It is further stated that you are involving in various offences by using deadly weapons and also earned displeasure among a section of other rowdy group in the area on account of the grudge against you and hence, rival group is also waiting opportunity to take revenge upon you;

6. The Petitioner further submitted that if, you are allowed to reside in Puducherry limits, it is apprehended that the Counter Petitioner would continue to indulge in serious offences like murder, 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, Kalapet Police Station, Puducherry, has prayed to invoke provisions under section 144 of Cr.P.C., against you 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 05-03-2024 to appear for the hearing on 18-03-2024 at 10.00 a.m. and subsequent hearings on 20-03-2024 and 25-03-2024. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Kalapet Police Station, Puducherry. The notice for the Counter Petitioner was received by his mother Tmt. N. Meenatchi. The service was held sufficient for the Counter Petitioner;

8. On 25-03-2024, the Petitioner Thiru S.R. Kumar, Sub-Inspector, Kalapet Police Station, Puducherry, was present. The Counter Petitioner has failed to appear before the Court on hearing date;

9. I have heard the Petitioner and carefully gone through all the available records placed before me. In the Police Information Report/Petition, it is stated that Thiru Gowthaman's activity was 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, grievous hurt, assaulting with deadly weapons, unlawful activities causing damage to public property, obstructions and annoyance, and disturb public peace and order. There are 4 criminal cases were registered against him at various Police Stations;

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

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 Gowthaman (26), son of Narayanan, No. 52, Thideer Nagar, Chinnakalapet, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of 30 (thirty days) from the date of this order (in view of GELS-2024) or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry. However, you may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 25th day of March, 2024 pronounced in the open Court.

**ARJUN RAMAKRISHNAN,**  
Subdivisional Magistrate (North).