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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

Publiée par
Autorité

Published by
Authority

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No.		Poudouchéry	Vendredi	2	Août 2024 (11 Sravana 1946)
No.		Puducherry	Friday	2nd	August 2024

IN THE COURT OF SUBDIVISIONAL MAGISTRATE (NORTH)
AT PUDUCHERRY

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

M.C. No. 187/2024 of I.R. No. 39/2024 Under Section 144 of Cr.P.C./1772

ORDER

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

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

.. Petitioner

Vs.

Thiru George (35),
S/o. Raj,
No. 75, 9th Cross,
Sakthi Nagar, Saram,
Puducherry.

.. Counter Petitioner

This petition along with case sheet is filed by the Inspector of Police, Orleanpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru George (35), 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 George (35), son of Raj, a resident of No. 75, 9th Cross, Sakthi Nagar, Saram, Puducherry.

3. **The facts which led up to the petition are briefly as follows:** The case submitted by the Inspector of Police, Orleanpet Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R.No. 39/2024, under section 144 of Cr.P.C., dated 05-04-2024. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crime such as murder 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 the business community in the city limit. 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.

Sl. No.	Cr.No. and Section of Law	Stage
(1)	(2)	(3)
1	Cr.No. 88/2023 under section 302 IPC r/w 34 IPC of Orleanpet Police Station, Puducherry.	Pending Trial

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 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, affray, riot, assault, obstructions and 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, 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 28-06-2024 to appear for the hearing on 16-07-2024 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 16-07-2024, the Petitioner, Orleanpet Police Station, Puducherry and the Counter Petitioner were present.

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 George (35), 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 and disturbance to the public peace and order. There is 1 criminal case was registered against him in Orleanpet 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 George (35), son of Raj, a resident of No. 75, 9th Cross, Sakthi Nagar, Saram, 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 16th day of July, 2024 pronounced in the open Court.

ARJUN RAMAKRISHNAN,
Subdivisional Magistrate (North).