

IN THE COURT OF DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, PALLAVARAM**PRESENT: Thiru. C.P. MULLAI VANAN, B.A., B.L.,(Hon's),**

District Munsif cum Judicial Magistrate, Pallavaram

Saturday, 25th day of October 2025**CRL.M.P.No:1019/2025**

Sri.Gerald Anthony Lewis

.....Petitioner

/Versus/

The Inspector of Police, Sankar Nagar PS

.....Respondent

Murugan

.....Accused

This petition came up for final hearing on this day in the presence of Tr. S.Rajavignesh, Learned Counsel for the petitioner. Upon hearing the petitioner side, perusing relevant records and having stood over for consideration till this date, this court delivers the following:

ORDER

1) Petition filed U/s 175(3) of BNSS for directing the respondent to register FIR and to further investigate the case.

2) Brief averments of the petition:

2.1) The petitioner submitted that he is the tenant to the accused who approached the petitioner through official website of the "No broker.com" and he had got the details of the suit premises and approached directly and met with him and entered the Rental agreement on 1st day of February 2024. When the petitioner took the suit premises as rental individual house per month in which situated at Ground Floor, Plot No. 110 & 111, Sudharma Garden, Phase - 2, Pozhichalur Chennai 600074 admeasuring about 700 sq.ft., From the original the accused Mr.Murgan, who fixed an rent of Rs. 12,000/- per month and advance of Rs. 40,000/- in which it is paid by the petitioner as same to the accused herein.

2.2) The petitioner submits that to which the petitioner demanded his advance security amount Rs. 40,000/-(Rs. Forty thousand only) and further submits that the money spent on wall cupboard doors Rs. 15,000/- (fifteen thousand only). If the accused paid back only the petitioner shall shift and continued to pay the rent as usual in Google pay. All of a sudden the accused started harassing the petitioner by telling him as if he wants to inspect the house at all odd times and asked the petitioner to take photos and send to him by accusing him of damaging the house in spite of the petitioner told the accused that he can visit the house at any time on a Sunday.

2.3) On the 5th of January 2025, the accused came to the petitioner's house by

9.00 am along with his wife and mother. The petitioner submits that the petitioner was asleep as he had worked night, they banged on the windows and gate till he woke up they hurled verbal abuses to him in the worst of words as they even didn't spare the petitioner's 21-year-old daughter who studies fine arts at Stella Maris college. Further the accused stood on the road and shouted saying that "she's not the petitioner's daughter and that he is keeping her and running a brothel and selling drugs" to which the petitioner took offence. The accused demanded that the petitioner paid the rent from the 5th of January 2025, for which the petitioner had already informed the sub inspector that the accused has repeatedly said that "he cannot pay back the advance or the money he had spent and that the petitioner will stay not paying the rent till he quits up the money that the accused trying to cheat him off.

2.4) When the plan petitioner made a complaint at the Commissioner of police Office, who directed the inquiry to the Deputy Commissioner office at Tambaram, before that enquiry was done the petitioner was again summoned twice on false accuses and on reaching the station found it was only to get the petitioner for compromise. The petitioner states that the 22.05.2025 the accused where enter into the premises with gundas petitioner wife's jewel more than 6 ¼ along with important things where stolen by the accused to take away from the premises to through the street. The petitioner lodged complaint against the accused murugan but the police not take any action from the accused.

2.5) On the 13th of may 2025 @ about 11 AM, the accused along with his wife, mother and about 10 goons, broke into the three locks, while the petitioner was unwell and asleep in the locked bedroom, when the petitioner heard the sounds in his house and opened the bedroom door he was attacked by the accused and some of the goons, his phones snatched and he was stuffed out of the house, and all his belongings were thrown on the street, the petitioner ran to the neighbors and requested them to call the police, but we're stopped by the accused and his goons who threatened them not to help. Following with the petitioner and the neighbor requested the accused to let him retrieve his late wife's jewelry, but he was scuffed and had a crowbar rushed to his chest, stating that they will kill him, pour petrol and burn him, the neighbor was also warned not to help as he has to be the accused's neighbor.

2.6) On the 14th may 2025 the petitioner along with his son who his son who had rushed to Chennai from Bangalore made a complaint in regards to the missing(robbery) was

told at the station that it's a crime and should be reported to crime section did so but the women inspector at the crime department did nothing to investigate the case till date approached for a CSR or FIR the petitioner was told it's a ongoing case and the LAW AND ORDER should handle it, this has gone on back and forth, but till date there has been no solution. At the Commissioner office this time meeting the Commissioner himself who heard the case in brief and immediately spoke with the DCP, TAMBARAM.to look into the case, the petitioner met with the DCP, who in turn spoke with the Shankar nagar inspector to investigate the case and submit a report, the petitioner was summoned after many attempts to meet the inspector, where in the petitioner was asked by the inspector to write a complaint again and not to mention the dates of the ongoing issue but only the last incident, but when the petitioner lawyer wrote a complete complaint of what has happened from the beginning that's the 05/01/2025 the station refused to accept it stating that it's too long and they need it brief, only what happened on 13/05/2025.

2.7) Again no action was take, no CSR or FIR done, when the petitioner approached the DCP for clarification he was surprised to hear that inspector has stated that the petitioner is at fault, to which the petitioner disagreed, and the original complaint copy that was not accepted handed over, the DCP then asked the petitioner to meet the AC at pallavaram. But a till there's no CSR or FIR, not even any investigation into the complaint in spite of there being so much of evidence, eye witness, police videos, and police CCTV cameras in the area. Police preliminary investigation with the neighbors and above all the police knows who's fault. No investigation or attempt to neither recover the petitioner stolen property nor serve justice has been done in spit of the petitioner several attempts. Petitioner has no other alternative remedy except to approach this Hon'ble Court for Direction under section 175(3) of BNSS directing the respondent to register an FIR pursuant to CSR.279/2025 on file of the respondent dated 17.02.2025. Hence, the complainant filed this petition u/s. 175(3) BNSS seeking to direct the respondent to register a FIR as against the accused.

3) After having heard the petitioner side enquiry this court ordered the respondent to file the status report but the status report was not filed. Hence filing of status report was closed on 08-09-2025.

4) Petitioner side Heard. Records Perused. Upon perusal of records viz.,

complaint, affidavit of the petitioner, documents filed it is found that the accused namely Tr.Murugan had abused the petitioner and his family members in obscene words, attacked them and caused criminal intimidation to cause death which clearly discloses the cognizable offence made out in this case. The petitioner has been lodged a complaint against the accused before the Inspector of Police, Shankar Nagar PS dated 04.03.2025 and obtained CSR receipt and the petitioner also lodged a complaint to the Commissioner of Police Tambaram City dated 13.05.2025 and obtained the acknowledgment but no proper action and no investigation was initiated. Thus the petitioner has complied the requirements u/s 174(4) of BNSS.

5) Further Our Hon'ble Supreme Court held in Lalita Kumari & Others Versus Government of U.P & Others [2014 (2) SCC 1], registration of the FIR is mandatory if the information discloses commission of a cognizable offence and no preliminary inquiry is permissible in such a situation.

6) Therefore considering the facts and circumstances of this case, this court finds that in this case prima fascia case is made out as against the accused Tr.Murugan and the act of said Tr.Murugan clearly discloses the commission of a cognizable offence. Hence, in the interest of justice, this complaint is forwarded to the SHO, Sankar Nagar PS u/s 175(3) of BNSS to investigate the case and file the report and directed to the proceed case in accordance with law. Further this court also directs to conduct preliminary enquiry if the fact and circumstances of the case warrants and proceed the case in accordance with law and file the report before this court on or before 25.11.2025.

7) In result, this petition is allowed accordingly. For compliance Call on 25.11.2025.

Directly dictated to typist and typed by her in the computer and corrections made over by me and pronounced in the open court on the 25th day of October 2025.

District Munsif- cum-
Judicial Magistrate,
Pallavaram

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