

In the Court of the Judicial Magistrate No. I, Madurantakam

Present: Tmt.N.Valliamma, B.Sc., B.L.,

Judicial Magistrate No. I, Madurantakam

Thursday, the 02nd day of July 2026.

CrI.M.P. No.589/2026

Joshbin, Age.60, W/o.Kirubakaran,
Annammal Nagar, Valayaputhur Village,
Vedanthangal Post, Madurantakam Taluk,
Chengalpattu District.

...Petitioner/Complainant

-Vs-

1.Loba, Age.35, S/o.Velankanni,
2.Punitha, Age.50, W/o.Velankanni,
All are residing at
Annammal Nagar, Valayaputhur Village,
Vedanthangal Post, Madurantakam Taluk,
Chengalpattu District.

... Respondent's/Accused

ORDER

1. The petitioner filed this petition U/s. 175(3) of BNSS to direct the Inspector of Police Madurantakam police station to register a FIR on the Complainant made by this petitioner on 12.03.2026.

2. The case of the petitioner is on 12.03.2026 at about 08.00 am. the respondents 1 and 2 were scolded the petitioner herein with filthy language pushed her down, the 1st respondent namely loba pulled her saree and kicked at her left side ribs with his legs. The 2nd respondent namely punitha pulled the petitioners hair and punched the petitioner on her back head around 5 or 6 times and both the accused were beaten the petition herein with their hand on the petitioners hip and back. The

2nd respondent has threatened the petitioner with dare consequences showing off wooden log. On hearing the petitioners sound the neighbors gathered and the respondents 1 and 2 were run away immediately the petitioner herein has lodged a complaint before the Inspector of Police, Madurantakam the petitioner was issued the CSR.No.329/2026, dated 12.03.2026, but there was no action on the part of Madurantakam police. Hence the petitioner herein made a complaint to the Superintendent of Police, Chengalpattu on 12.05.2026. Even then there was no action on the part of the police in the complaint given by the petitioner herein. Hence this petition.

3. The fundamental aspects for filing a petition U/s.175(3) of BNSS are that there has to be prior applications U/s.173(1) BNSS, if there is no action on the part of the Officer incharge of police station, the application to the Superintendent of police under section 173(4) of BNSS, Only then petition U/s.175(3) could be filed. Upon perusing the records available on hand, it is seen that already an information was lodged before Maduranthagam police U/s.173 (1) of BNSS, Due to the inaction of the Madurantakam police, the substance of the information was sent to Superintendant of Police, Chengalpattu as per the mandate U/s.173(4) BNSS, Even after that no Positive response has been evoked and hence the present petition has been filed. Therefore the aforesaid fundamental aspects are clearly spelt out in this petition and it is also supported by necessary documents.

4. The present petition was also duly supported by an affidavit. Hence the mandate of Honourable Supreme Court in Priyanka Srivastava Vs. State of U.P (2015) 6 SCC 287 has also been complied with.

5. Upon perusing the written information, supporting affidavit and the documents annexed in extenso, it prima facie disclosed about the commission of cognizable offence. The facts in the petition indicate the need of police investigation. Whereas the reply filed by the Madurantakam Police shows that after giving CSR the petitioner herein has not appeared before the respondent police for the investigation.

The reply further shows that Police Constable -1313 attached with the respondent police went in person to the petitioners house and called her to appear for investigation even then the petitioner herein has not appear before the respondent police.

6. On perusal of records, the averment mentioned in the affidavit discloses commission of some cognizable offence. Hence 3rd Respondent is directed to conduct enquiry over the complaint, and the concerned Station House Officer shall expedite the enquiry and follow the dictum laid down in the **Lalitha Kumari -Vs- Government of Uttarpradesh and others 2013 (4) criminal 243(SC)** and do the following directions.

7. If the information received by the 3rd Respondent discloses commission of a cognizable offence, then, the same shall be forthwith registered.

8. If information received does not disclose a cognizable offence, the 3rd Respondent shall conduct a preliminary inquiry to ascertain whether cognizable offence is disclosed therein or not.

9. If the preliminary inquiry ends in closing the complaint, the closure report must be recorded along with the reasoning and a copy of the same shall be furnished to the complainant.

10. In the result, the Criminal Miscellaneous Petition is allowed with the above directions & hence disposed off.

In result this petition is allow, the Madurantakam police is hereby directed to register an F.I.R for the written information dated 12.03.2026.

Dictated by me to the Steno-typist and typed by him directly in the computer corrected and pronounced by me in open court on the Thursday 02nd July 2026.

Judicial Magistrate No.I,
Madurantakam.

Note: Copy of order to be sent the Station House Officer, Madurantakam.