

**IN THE COURT OF THE JUDICIAL MAGISTRATE NO II,
RAMANATHAPURAM**

**Present: Thiru. S.B. Sujith, B.A.,B.L.,(HONS)
District Munsif cum Judicial Magistrate, Rameshwaram
Judicial Magistrate No II(FAC), Ramanathapuram**

Friday, the 25th day of July 2025

Cr.M.P. No. 875/2025

CNR.No.TNRM02-002629-2025

Salimullakhan,
S/o. Samsul Pugari,
8, Aruppukarastreet,
Velipattinam,
Ramanathapuram.

..... Petitioner

Versus

1. Dhagamohammed,
2. Abdul Nazarkamaal
3. Yasar Arafath
4. Sivamani
5. Soundarya
6. Inbiyas @ Jabarum
7. Thowbik
8. Mohammed Anwar

.... Respondents

The Inspector of Police,
District Crime Branch P.S.
Ramanathapuram.

..... Respondent Police

For Petitioner : Tr. Arunkannan. Advocate.

This Petition taken on file on 03.06.2025 and coming up for final hearing

on 02.08.2025. Upon hearing the arguments, upon perusal of the records and having stood over for consideration till this day, this court delivers the following

ORDER

1. This is a petition filed u/s 175(3) BNSS. for directing the Inspector of District Crime Branch police station to register F.I.R as against the respondents and investigate the case.

2. POINT FOR DETERMINATION:-

Whether the direction u/s 175(3) BNSS is eminent in this case?

3. DISCUSSION:-

3.1. Records perused. This court finds that the mandates laid down to file a petition u/s 175(3) BNSS before the Magistrate has been followed. On perusal of petition, the affidavit filed by the petitioner and the documents annexed, this court finds that the nature of allegations levelled against the respondents indicates the necessity for an enquiry. There are lot of documents to be examined in this case. Therefore this court is of strong view that this is a fit case for the preliminary enquiry to be conducted. Therefore as per the mandate laid down in **Lalitha Kumari Vs. Government of U.P. by the Hon'ble Supreme Court of India** and in the interest of justice, this court holds that a preliminary enquiry has to be conducted in this case. Further this court finds that there is need for collection of evidence in this case and there is a requirement of investigation by an investigating agency in this case.

3.2. From the above discussions, this court holds that the direction u/s 175(3) BNSS is eminent in this case and there is a necessity for an enquiry. Therefore this court directs the Inspector of District Crime Branch police station to conduct a

preliminary enquiry. If the preliminary enquiry discloses the commission of cognizable offence, register an F.I.R., investigate the matter and file a report within 25.08.2025 or within 20 days from the date of receipt of this order. If it discloses the commission of non cognizable offence, then file a closure report with reasons in brief and the copy of the same shall forthwith be furnished to the complainant.

4. Result:-

In the result, the petition is allowed with the above directions. The Magisterial Clerk of this court is directed to send copy of this order, the petition and other annexed documents to the Inspector of District Crime Branch Police station, Ramanathapuram after retaining the necessary copies.

Dictated to the Steno typist, corrected and pronounced by me in the open court, this 25th day of July, 2025.

**Judicial Magistrate No.II(FAC),
Ramanathapuram.**