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[IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.20526 of 2023

U.Madasamy Mahesh

Petitioner

vs.

1.The Additional Director General of Bureau,
State Crime Record Bureau,
95, Greenways Road, MRC Nagar,
Raja Annamalaipuram,
Chennai – 600 028.

2.The District Superintendent of Police,
District Crime Record Bureau,
High Ground Road,
Tirunelveli – 627 007.

Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to remove the petitioner's name from crime record bureau and to issue clear police verification certificate by considering the petitioner's representation dated 12.12.2022.

For Petitioner : Mr.K.Murugan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

This writ petition has been filed for a direction to the respondents to remove the name of the petitioner from the Crime Record Bureau and to issue a Clear Police Verification Certificate based on the representation made by the petitioner on 12.12.2022.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.

3.An FIR was registered in Crime No.308 of 2015 by the Inspector of Police Thisaiyanvilai Police Station. In this FIR, the name of the petitioner was also added as an accused and at that point of time, the petitioner was aged about 15 years. Ultimately, the Juvenile Justice Board, Tirunelveli by an order dated 11.12.2017, terminated the proceedings as against the petitioner under Section 14 of the Juvenile Justice Act, 2015 read with relevant Rules.

4.The grievance of the petitioner is that the criminal case stood terminated as against the petitioner and in spite of the same, the name of the petitioner is retained in the Crime Record Bureau, since the case is pending as



against the other accused persons. As a result, whenever any verification is made as against the petitioner, the name of the petitioner gets reflected in the Crime Record Bureau and the petitioner is not able to get any Government job. Aggrieved by the same, the present writ petition has been filed before this Court.

5. In the considered view of this Court, the criminal proceedings against the petitioner got terminated in the year 2017 itself. Therefore, insofar as the petitioner is concerned, his name cannot be retained in the Crime Record Bureau and his name has to be necessarily cleared/redacted. Just because the case is pending against the other accused persons, the petitioner cannot be made to suffer.

6. In the light of the above discussion, there shall be a direction to the respondents to issue a Verification Certificate in favour of the petitioner by clearing his name in Crime No.308 of 2015 based on the representation made by the petitioner on 12.12.2022. This process shall be completed by the respondents, within a period of four weeks from the date of receipt of copy of this order.



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N. ANAND VENKATESH., J.

SSR

7.This writ petition is disposed of with the above direction. No Costs.

12.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
SSR

To

- 1.The Additional Director General of Bureau,
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95, Greenways Road, MRC Nagar,
Raja Annamalaipuram,
Chennai – 600 028.
- 2.The District Superintendent of Police,
District Crime Record Bureau,
High Ground Road,
Tirunelveli – 627 007.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.

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