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CRL OP(MD). Nos.16163 and 16165 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 24/10/2025

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THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). Nos.16163 and 16165 of 2025

Murugan,

... Petitioner
in both Crl.O.Ps

Vs

The Sub Inspector of Police,
Panagudi Police Station,
Panagudi,
Tirunelveli District.
(Cr.No.361 of 2023).

... Respondent
in both Crl.O.Ps

Prayer in Crl.O.P(MD).Nos.16163 of 2025 :-

Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records as made in Crl.M.P.No.582 of 2025 in C.C.No.257 of 2023 dated 25.07.2025 as passed by the Learned Judicial Magistrate, Valliyoor, Tirunelveli District and set aside the same and subsequently direct the respondent to issue Clearance Certificate forthwith.

Prayer in Crl.O.P(MD).Nos.16165 of 2025 :-

Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records as made in Crl.M.P.No.567 of 2025 in C.C.No.289



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of 2018 dated 19.07.2025 as passed by the Learned Judicial Magistrate, Valliyoor, Tirunelveli District and set aside the same and subsequently direct the respondent to issue Clearance Certificate forthwith.

For Petitioner : Mr.S.Palanivelayutham
(in both Crl.O.Ps)
For Respondent : Mr.R.Meenakshi Sundaram
(in both Crl.O.Ps) Additional Public Prosecutor

COMMON ORDER

The petitioner seeks to set aside the impugned order passed by the learned Judicial Magistrate in the two cases faced by the petitioner and prays for a direction to the police to issue No Objection Certificate.

2. The petitioner facing the prosecution in C.C.No.257 of 2023 on the file of the learned Judicial Magistrate, Valliyoor, Tirunelveli District, for the offences under Section 294(b) of IPC and C.C.No.289 of 2018 on the file of the learned Judicial Magistrate, Valliyoor, Tirunelveli District, for the offences under Sections 294(b), 406, 420, 506(2) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.



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3. The petitioner had earlier applied for renewal of passport, which was considered and passport was issued to the petitioner pursuant to the order passed by this Court in W.P(MD).No.29283 of 2024 dated 05.12.2024. Thereafter, the petitioner had sought for employment abroad for which according to him a Police Clearance Certificate is required. Therefore, he filed W.P(MD).No.12649 of 2025, for a writ of Mandamus directing the first respondent to issue a Police Clearance Certificate. This Court by the order dated 23.06.2025 had observed that there cannot be any positive direction to the first respondent to issue a Police Clearance Certificate and observed that it is open to the petitioner to file an appropriate application before the Judicial Magistrate Court, Vallioor, for securing such a certificate. The petitioner thereafter filed two applications in the two cases pending against him before the learned Judicial Magistrate, Valliyoor in CrI.M.P(MD).Nos.582 and 567 of 2025, seeking direction to the respondent to issue Police Clearance Certificate. The learned Judicial Magistrate, Valliyoor, dismissed the said applications. Hence the above petitions.



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4. The learned counsel for the petitioner would submit that all that is required by the petitioner is a certificate issued by the police stating that there are cases pending against him with the details of those cases.

5. Heard the learned Additional Public Prosecutor appearing for the respondent police.

6. The petitioner had sought for Police Clearance Certificate. The respondent police cannot be compelled to issue any Police Clearance Certificate. However, there cannot be any impediment for the respondents to issue a certificate with the details of the cases against the petitioner and they are not obliged to issue a No Objection Certificate.

7. Hence, respondent police is directed to issue a certificate with the details of the cases pending against the petitioner within a period of four weeks from the date of receipt of a copy of this order.

8. With the above directions, this Criminal Original Petitions are disposed of.

24.10.2025

NCC : Yes / No
Index : Yes / No
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To

1. The Judicial Magistrate Court,
Valliyoor.
2. The Sub Inspector of Police,
Panagudi Police Station,
Panagudi,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN,J

TTA

**ORDER
IN
CRL OP(MD). Nos.16163 and 16165 of 2025**

24/10/2025