



W.P(MD)No.26524 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.09.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.26524 of 2025

and

W.M.P(MD)No.20577 of 2025

P.Leander

..Petitioner

Vs

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai – 625 002.

2.The State of Tamil Nadu,
Rep. by the Inspector of Police,
Melur Police Station,
Madurai District.
(Crime No.128 / 2021)

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records relating to impugned acknowledgement letter issued by the first respondent in MDI1084950436625 dated 15.09.2025 and to quash the same and further direct the first respondent to issue police clearance



W.P(MD)No.26524 of 2025

certificate (PCC) to the petitioner on the basis of online application dated 12.09.2018.

For Petitioner : Mr.C.M.Mari Chelliah Prabhu

For Respondents : Mr.A.Balaji
Central Govt. Standing Counsel (for R1)

Mr.S.Prakash
Govt. Advocate (Crl. Side) (for R2)

ORDER

The petitioner has filed this writ petition seeking issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned acknowledgment letter issued by the first respondent in MDI1084950436625 dated 15.09.2025, to quash the same, and consequently to direct the first respondent to issue a Police Clearance Certificate (PCC) to the petitioner on the basis of his online application dated 12.09.2018.

2. Mr.A.Balaji, learned Central Government Standing Counsel, takes notice for the first respondent. Mr.S.Prakash, learned Government Advocate (Crl. Side), takes notice for the second respondent. By consent, the writ petition is taken up for final disposal at the admission stage itself.



W.P(MD)No.26524 of 2025

3. The case of the petitioner is that during the year 2021, a criminal case in Crime No.128 of 2021 was registered against him by the second respondent for the offences under Sections 304-A and 279 IPC. Subsequently, a charge sheet was filed and taken on file by the Judicial Magistrate, Melur, in C.C. No.154 of 2022.

4. The petitioner submits that he has received an offer of admission from a reputed university in New Zealand to pursue his Master's Degree for the period from 03.11.2025 to 08.11.2026. In order to obtain a visa from the immigration authorities, the petitioner was required to produce a Police Clearance Certificate from the office of the first respondent. Accordingly, he applied for the same through the online portal. However, the first respondent, through the impugned communication dated 15.09.2025, refused to issue the certificate citing pendency of the criminal case.

5. The learned counsel for the petitioner contends that mere pendency of a criminal case cannot be a ground to deny the Police Clearance Certificate, especially when no conviction has been recorded against the petitioner. It is submitted that the petitioner's educational prospects abroad would be irreparably affected if the certificate is not issued. The learned counsel further contends that the offences alleged under Sections 279 and 304-A IPC are not of such grave nature as to disentitle the petitioner from obtaining the certificate for academic purposes.



W.P(MD)No.26524 of 2025

WEB COPY

6. Per contra, the learned Government Advocate (Crl. Side) appearing for the second respondent submits that the criminal case against the petitioner is at the evidence stage, and therefore, the issuance of a Police Clearance Certificate at this juncture would be inappropriate and premature. It is further submitted that as per the prevailing norms, the Police Clearance Certificate cannot be issued to a person who is facing criminal prosecution until the proceedings are concluded.

7. The learned Central Government Standing Counsel appearing for the first respondent adopts the submissions made by the learned Government Advocate and submits that the rejection order has been passed strictly in accordance with the guidelines issued by the competent authority governing the issuance of Police Clearance Certificates.

8. This Court has carefully considered the submissions made by the learned counsel on either side and perused the materials placed on record.

9. It is not in dispute that the petitioner is facing trial in C.C.No.154 of 2022 pending before the Judicial Magistrate, Melur, arising out of Crime No. 128 of 2021 for the offences under Sections 279 and 304-A IPC. The criminal case is presently at the evidence stage. In view of the pendency of the criminal proceedings, this Court is of the opinion that the petitioner is



W.P(MD)No.26524 of 2025

not entitled to issuance of a Police Clearance Certificate at this stage.

However, considering the petitioner's request for pursuing higher education abroad, this Court directs the learned Judicial Magistrate, Melur, to expedite the trial in C.C.No.154 of 2022 and dispose of the same as expeditiously as possible.

10. With the above directions, this Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

25.09.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn

To

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai – 625 002.

2.The State of Tamil Nadu,
Rep. by the Inspector of Police,
Melur Police Station,
Madurai District.
(Crime No.128 / 2021)



WEB COPY



W.P(MD)No.26524 of 2025

P.T.ASHA, J.

skn

Writ Petition(MD)No.26524 of 2025
and
W.M.P(MD)No.20577 of 2025

25.09.2025