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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

MONDAY, THE 3RD DAY OF AUGUST 2026 / 12TH SRAVANA, 1948

WP(C) NO. 20298 OF 2026

CRIME NO.511/2016 OF Kalpetta Police Station, Wayanad

PETITIONER:

PETER T.V
AGED 43 YEARS
THANALIMALIL (H), KUMBLERI POST, KRISHNAGIRI,
WAYANAD., PIN - 673591

BY ADVS.
SHRI.JACKSON JOHN
SHRI.ABHISHEK ANTONY

RESPONDENTS:

- 1 DISTRICT POLICE CHIEF
DISTRICT POLICE OFFICE, KALPETTA, WAYANAD, KERALA, PIN - 673122
- 2 STATION HOUSE OFFICER
KALPETTA POLICE STATION, MANDAYAPURAM, KALPETTA P.O, WAYANAD,
KERALA, PIN - 67312 CORRECTED AS R2:STATION HOUSE OFFICER,
MEENANGADI POLICE STATION, MEENANGADI.PO, WAYANAD, KERALA, PIN -
673591(RESPONDENT NO.2 CORRECTED AS PER ORDER DATED 13.07.2026
IN IA1/2026 IN WP(C)20298/2026.

SRI.ANIRUDH KADAVIL GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
03.08.2026, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



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BECHU KURIAN THOMAS, J**W.P.(C). No.20298 of 2026****Dated this the 3rd day of August, 2026****JUDGMENT**

The petitioner seeks to quash Ext.P2 and also seeks a direction for issuance of Police Clearance Certificate/Non Involvement in Offence Certificate as prescribed in Section 59 of the Kerala Police Act, 2011.

2. The petitioner intends to start a business in home stay/resorts and is required to obtain a license from the Department of Tourism, Government of Kerala. A Police Clearance Certificate is stated to be essential for obtaining a license in that regard. Accordingly, petitioner applied to the 2nd respondent for issuance of Police Clearance Certificate. However by Ext.P2 communication, petitioner's application was declined to be considered, pointing out the existence of four criminal cases against him.

3. A statement has been filed on behalf of the 2nd respondent pointing out that pursuant to the receipt of the application submitted by the petitioner, an enquiry was conducted which revealed that the petitioner was involved in four criminal



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cases before different police stations. It is stated that Crime No.511/2016 of Kalpetta Police Station, which is presently being tried as C.C. No.40/2018 before the Chief Judicial Magistrate Court, Kalpetta, is pending, which was intimated to the petitioner through the impugned communication. It is also mentioned that the Police Clearance Certificate is a certification by the jurisdictional police regarding the antecedents of an applicant as borne out by the records and therefore it is not possible for the 2nd respondent to issue a certificate to the contrary or suppressing the records available in the police station.

4. I have heard Sri.Jackson John, the learned counsel for the petitioner as well as Sri.Anirudh Kadavil, the learned Government Pleader.

5. The question regarding the issuance of a Police Clearance Certificate has been the subject of consideration by this Court repeatedly. It has been observed by this Court that a Certificate under Section 59 of the Kerala Police Act, 2011, need not be denied merely due to the pendency of a criminal case as a Certificate can be issued by incorporating a statement regarding the involvement of the applicant in the crime. Whether the involvement of the petitioner in such a crime is conducive for the grant of licence or permission



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sought for, is a matter to be considered by the appropriate authority or employer, as the case may be. However, the same is not a reason to deny issuance of certificate as requested for. In fact, Section 59 of the Kerala Police Act, 2011, identifies the certificate to be issued as involvement/non involvement of the applicant in a case.

6. Viewed in the above perspective, the certificate applied for by the petitioner can be issued to him by specifically mentioning his involvement in the crime, rather than rejecting the application. Hence, I am of the view that Ext. P2 is liable to be quashed.

Accordingly, Ext.P2 is quashed and the 2nd respondent is directed to issue a certificate referring to the involvement/non involvement of the petitioner in offences pursuant to Ext.P1 application. Needful shall be done, as expeditiously as possible, at any rate, within an outer period of one month from the date of receipt of a copy of the judgment.

The writ petition is disposed of as above.

Sd/-

**BECHU KURIAN THOMAS
JUDGE**

SMF



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APPENDIX OF WP(C) NO. 20298 OF 2026

PETITIONER EXHIBITS

Exhibit P1	A TRUE COPY OF THE APPLICATION SUBMITTED WITH THE E-CHALLAN DATED 29.07.2025
Exhibit P2	A TRUE COPY OF THE REFUSAL COMMUNICATION ISSUED BY THE 2ND RESPONDENT.
Exhibit P3	A CERTIFIED COPY OF THE JUDGMENT DATED 21.01.2013
Exhibit P4	A TRUE COPY OF THE CASE STATUS FROM THE DISTRICT COURT MANAGEMENT SYSTEM (DCMS), KERALA JUDICIARY
Exhibit P5	A TRUE COPY OF THE JUDGMENT DATED 18.03.2021
Exhibit P6	A CERTIFIED COPIES OF THE FIRST INFORMATION REPORT DATED 7.08.2016
Exhibit P7	A CERTIFIED COPIES OF THE FIRST INFORMATION STATEMENT DATED 7.08.2016