



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Twenty First day of June Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL MP(MD) Nos.3872 and 3874 of 2018

IN

CRL OP(MD)Nos.8649 and 8654 of 2018

THE STATE THROUGH
THE INSPECTOR OF POLICE,
NIB-CID, DINDIGUL,
DINDIGUL DISTRICT.

... PETITIONER / RESPONDENT
in both petitions

CRIME NO.153/2017 ... CRL MP(MD)No.3872/18 IN CRL OP(MD)No.8649/18

CRIME NO.177/2017 ... CRL MP(MD)No.3874/18 IN CRL OP(MD)No.8654/18

Vs

EERUDI KUMAR RAJA

... RESPONDENT / PETITIONER
... CRL MP(MD)No.3872/18 IN CRL OP(MD)No.8649/18

HARISH MANGALI

... RESPONDENT / PETITIONER
... CRL MP(MD)No.3874/18 IN CRL OP(MD)No.8654/18

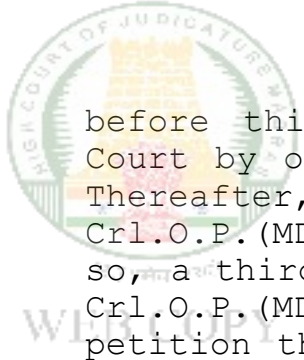
PRAYER IN ... CRL MP(MD)No.3872/18 IN CRL OP(MD)No.8649/18:-

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to cancel the bail granted to the respondent/petitioner in Crl.OP (MD).No.8649/2018 dated 23.05.2018 on the file of this Honorable Court.

Prayer in CRL MP(MD). 3874/ 2018 IN CRL OP(MD)No.8654/18:-

To cancel the bail granted to the respondent/Accused in Crl.OP (MD) No.8654 of 2018 dated 23.05.2018

Order : These petitions coming on for orders upon perusing the petitions filed in support thereof and upon hearing the arguments of Mr.A.ROBINSON, GOVERNMENT ADVOCATE, for the petitioner in both the petitions, the court made the following order:-



before this Court, by filing Crl.O.P.(MD)No.3101 of 2018. This Court by order dated 10.04.2018, dismissed the said Bail petition. Thereafter, a Second application for bail was moved by filing Crl.O.P.(MD)No.7783 of 2018. That was also dismissed by me. While so, a third bail application was filed before the Vacation Court in Crl.O.P.(MD)No.8649 of 2018. A false statement was made in the said petition that it was the first petition that was being moved. The earlier two dismissals had been totally suppressed. By such suppression, bail was obtained in the vacation Court on 23.05.2018. The said order since been cancelled by this Court, the third bail application was moved by an Advocate by name Mr.M.R.Franklin, En.No.854/2010. Notice was issued to him calling for explanation to show cause as to why disciplinary proceedings should not be initiated against him.

2.Today (21.06.2018), the said Advocate appeared in person before this Court. He submitted that he filed the said Criminal Original Petition on the basis of the instructions given by Mr.Manimaran, Advocate, En.No.884/2010. The said Advocate Mr.Manimaran is also present before me and he confirmed the statement made by Mr.M.R.Franklin. Since, this Court is satisfied that Mr.M.R.Franklin, only acted on instruction and not on his own and since, it was Mr.Manimaran who had given such false instructions, Registry is directed to file an appropriate complaint before the Bar Council of Tamilnadu. The Registry shall do so within two weeks from today(21.06.2018). The Bar Council of Tamilnadu shall conduct expeditious disciplinary proceedings and place report before me within a period of six months.

sd/-

21/06/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE ADDITIONAL DISTRICT JUDGE
FOR SPECIAL COURT FOR EC & NDPS ACT CASES,
MADURAI.
- 2 THE INSPECTOR OF POLICE,
NIB-CID, DINDIGUL,
DINDIGUL DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

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1 THE REGISTRAR (JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI



2 THE REGISTRAR (ADMN.,)
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

3 THE SECRETARY,
BAR COUNCIL OF TAMILNADU & PUDUCHERRY,
HIGH COURT CAMPUS,
CHENNAI- 104

PNN

JAM/27/06/2018/ CM-VR /RNB/3P-7C

ORDER

IN

CRL MP (MD) Nos.3872 and 3874 of 2018

IN

CRL OP (MD) Nos.8649 and 8654 of 2018

Date :21/06/2018