

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of September Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice M. SATHYANARAYANAN

and

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL MISCELLANEOUS PETITION No.13463 of 2019

IN CRL.O.P.No.19550 of 2019

P.K.MUTHUSAMY

[PETITIONER]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
DHARMAPURI.
DHARMAPURI DISTRICT.
CR.NO.1/2018.

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Modify the condition Nos.24(ii and iii) of the order dated 12.09.2019 made in Crl.O.P.No.19550 of 2019 passed by this Hon'ble Court, to enable the petitioner to appear before the Disciplinary Committee of the Bar Council of Tamilnadu on all hearing dates.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.N.MANOCHARAN, Advocate for the petitioner, and of MR. K.PRABAKAR, Additional Public Prosecutor, on behalf of the Respondent, the court made the following order:-

(Order of the Court was made by M.SATHYANARAYANAN, J.)

Heard the submission of Mr.N.Manoharan, learned counsel appearing for the petitioner and Mr.K.Prabakar, learned Additional Public Prosecutor appearing for the State and the learned counsel appearing for the intervenor/defacto complainant.

2. This Court, while granting the relief of anticipatory bail to the petitioner, vide order dated 12.09.2019 made in CrI.O.P.No.19550 of 2019, apart from imposing usual conditions, directed him to stay at Kancheepuram and report before the Inspector of Police, Siva Kanchi Police Station, Kancheepuram daily at 11.00 a.m. until further orders, except on the dates where he is required to be present before the respondent/Investigating Agency for the purpose of investigation and shall not leave the limits of Kancheepuram pendency of the investigation without getting orders from this Court.

3. Mr.N.Manoharan, learned counsel appearing for the petitioner would submit that the Bar Council of Tamil Nadu and Puducherry, vide Notification No.9 of 2019 dated 03.09.2019, has passed prohibitory order against this petitioner along with four others, prohibiting them from practicing in all Courts, Tribunals and other authorities in India in connection with the disciplinary proceedings initiated by the Bar Council of Tamil Nadu and Puducherry and he is required to appear for the enquiry proceedings on every Saturdays before the Bar Council of Tamil Nadu in respect of Complaint Nos.73 of 2019 and 410 of 2018 and therefore, prays for modification of the conditions imposed by this Court.

4. This Court also heard Mr.K.Prabakar, learned Additional Public Prosecutor appearing for the State and the learned counsel appearing for the intervenor/defacto complainant, who have no serious objection in modification of the conditions.

5. The condition Nos.(ii) and (iii) in Paragraph No.24 of the order dated 12.09.2019 is modified as follows:

24(ii) The petitioner herein/A5, after his enlargement on bail, shall stay at Kancheepuram and report before the respondent police, Siva Kanchi Police Station, Kancheepuram, daily at 11.00 a.m., until further orders, except on the dates where he is required to be present before the respondent/Investigating Agency for the purpose of investigation and for his appearance in the enquiry proceedings before the Bar Council of Tamil Nadu in respect of Complaint Nos.73 of 2019 and 410 of 2018 ;

24(iii) The petitioner herein/A5 shall not leave the limits of Kancheepuram pendency of the investigation, except on Saturdays, where his appearance is required before the Bar Council of Tamil Nadu in connection with the disciplinary proceedings initiated against him and shall not take advantage of his liberty and hamper with the investigation and tamper with the evidence and witnesses and shall not flee from arms of justice.

It is made clear that the petitioner shall also scrupulously comply with rest of the conditions imposed by this Court, vide order dated 12.09.2019.

6. This Miscellaneous Petition is disposed of accordingly.

-sd/-
18/09/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, DHARMAPURI

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
DHARMAPURI,
DHARMAPURI DISTRICT.

5 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
DHARMAPURI.

6 THE ADDITIONAL DIRECTOR GENERAL OF POLICE,
LAW AND ORDER,
OFFICE OF DIRECTOR GENERAL OF POLICE,
DR.RADHAKRISHNAN SALAI,
MYLAPORE, CHENNAI.

7 THE INSPECTOR OF POLICE,
SIVAKANCHI POLICE STATION,
KANCHEEPURAM.

8 THE SECRETARY,
BAR COUNCIL OF TAMIL NADU AND PUDUCHERRY,
CHENNAI-1.

+1 C.C. to M/S.N.MANOCHARAN Advocate on payment of necessary
charges SR.NO.19508

+1 C.C. to M/S.A.ILAYA PERUMAL, Advocate on payment of necessary charges SR.NO.19497

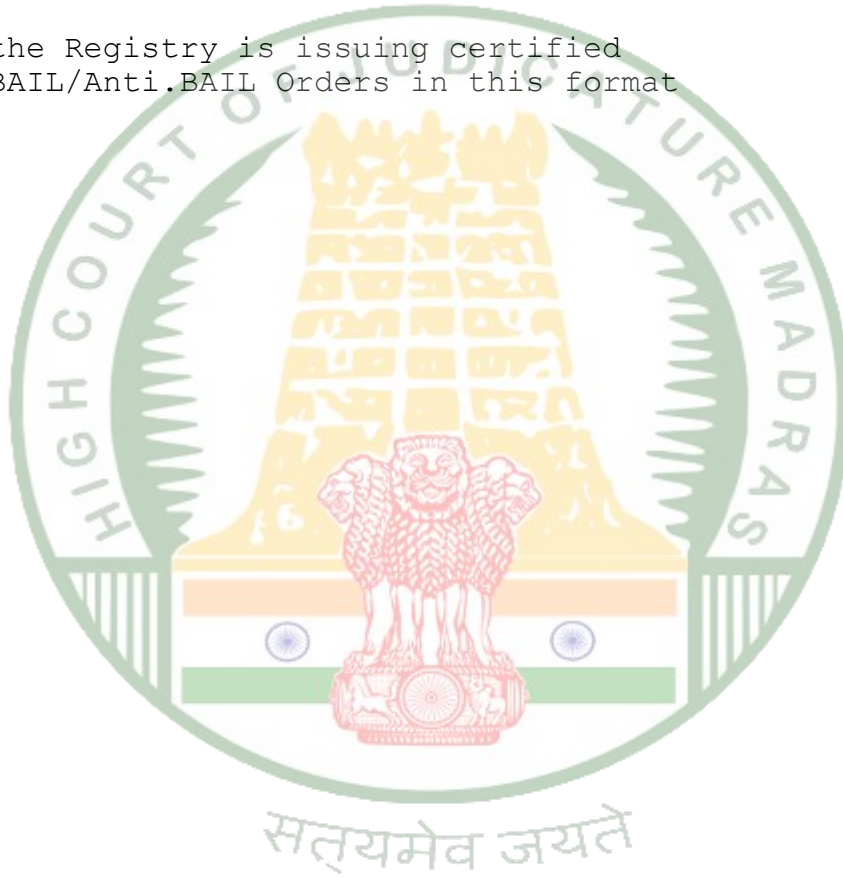
Order

in
CRL MP.13463/2019
in
CRL.O.P.No.19550/2019

Date :18/09/2019

From 7.2.2001 the Registry is issuing certified copies of the BAIL/Anti.BAIL Orders in this format

TA-26/09/2019



WEB COPY