

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CRL.O.P.No.10387 of 2021

1.Tanuja Rajan @ Tanuja Kanthula

2.Preeti Rajan

...Petitioners

Versus

State Rep. by
The Inspector of Police,
G-7, Chetpet Police Station,
Chennai 600 031.
(Cr.No.192 of 2021)

...Respondent

PRAYER: Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on bail in the event of arrest by the respondent Police in Crime No.192 of 2021 on the file of the respondent Police.

For Petitioner : Mr.Louisal Ramesh

For Respondent : Mr.A.Gopinath

Government Advocate (Crl. side)

ORDER

Amidst the pandemic, which has been raging through the entire human race, the health workers and the uniformed services are performing an arduous duty with due diligence and with scant care for their health and well being. Such is the enormity of their service, each and every common man throughout the country are recognising their service and are applauding their efforts in not only keeping under control the law and order of the State, but also keeping in check the spread of the deadly virus amongst the human race.

2. Though such is the scale in which duty is performed by the uniformed service, however, even then there are a few miscreants, who, with scant respect to the work done by the law enforcing agency, indulge in tussle with the police personnel, not only undermining the work done by them, but also creating an eerie atmosphere amongst the police personnel. Some miscreants of the legal fraternity also do fall in this league. Society has witnessed very many instances of the legal fraternity indulging in war of words as also scuffle with the police personnel, but most of the times, the members of the legal fraternity do keep themselves within the bounds of

law. But instances have come to the notice of this Court where the legal fraternity has also indulged in some high-handed activity against the law enforcing agency. It is a harsh reality that instances of such nature by the members of the legal fraternity are on the increase. Though for unruly and indisciplined behaviour, other persons, who work for one or other arm of the Government, mechanism of disciplinary action is contemplated under the relevant Acts and Rules governing the service, yet, when it comes to the legal fraternity, the initiative and control vests on the Bar Council of Tamil Nadu, to take appropriate action against such of those unruly advocates who involve themselves in these kinds of acts, which demeans the profession. However, the mechanism that is in place to take action against such of those individuals, who involve themselves in indisciplined acts and misbehave with the officials on duty, are not clearly spelt out by the Bar Council of Tamil Nadu.

3. As the issue involved in the present petition has larger ramification with regard to the conduct of the members of the legal fraternity vis-a-vis the officials of the Government, and the Bar Council of

Tamil Nadu being regulatory authority insofar as the legal profession and taking action against its members is concerned, the Bar Council of Tamil Nadu is impleaded as a party respondent in the present criminal original petition and the authorised officer of the Bar Council of Tamil Nadu is directed to file appropriate Status Report before this Court before the next date of hearing as to the mechanism that is in place for taking action against the members of the legal fraternity as also the action that have been taken against such of those advocates, who have misbehaved in the public place with the officials on duty.

4. Registry is directed to serve notice on the Bar Council of Tamil Nadu and list the matter for filing status report on 17.06.2021.

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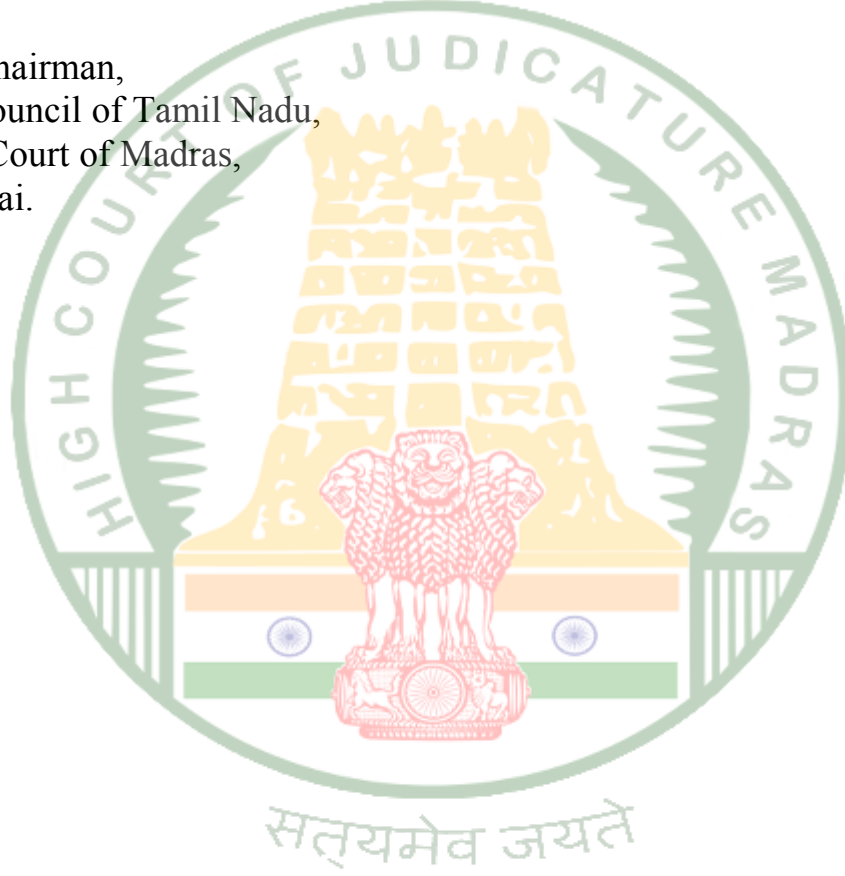
15.06.2021

Note to office :

**Issue Copy of this order
today (15.6.2021)**

To

1. The Inspector of Police,
G-7, Chetpet Police Station,
Chennai 600 031.
2. The Public Prosecutor,
High Court, Madras.
3. The Chairman,
Bar Council of Tamil Nadu,
High Court of Madras,
Chennai.

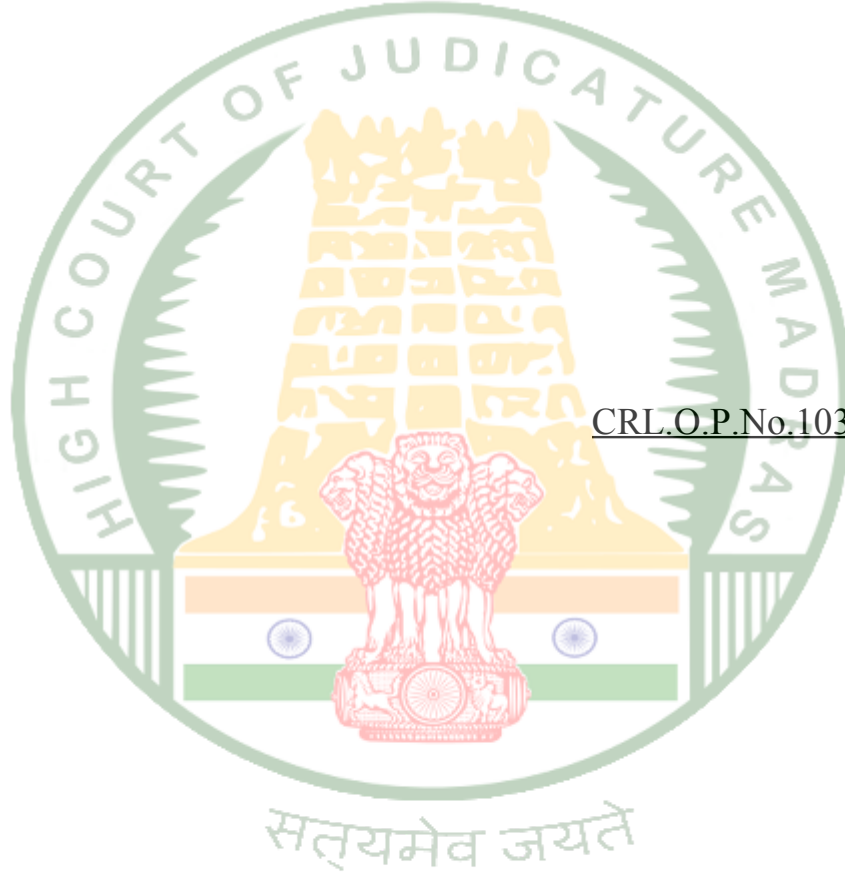


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M.DHANDAPANI,J.

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