



2025:KER:52224

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

TUESDAY, THE 15TH DAY OF JULY 2025 / 24TH ASHADHA, 1947

WP(C) NO. 23137 OF 2025

PETITIONER:

BEYLIN DAS
AGED 47 YEARS
S/O YESUDAS P, KUNCHU VEEDU PURAYIDAM,
NEAR VIZHINJAM POLICE STATION, VIZHINJAM WARD,
VIZHINJAM VILLAGE, THIRUVANANTHAPURAM,
PIN - 695521

BY ADV SRI.AKHIL SURESH

RESPONDENT:

THE BAR COUNCIL OF KERALA
REPRESENTED BY THE HON. SECRETARY, BAR COUNCIL,
BAR COUNCIL BHAVAN, HIGH COURT OF KERALA
CAMPUS, ERNAKULAM, PIN - 682031

BY ADVS.
SRI.PRANOY K.KOTTARAM
SRI.SIVARAMAN P.L
SRI.P.K. SURESH KUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 15.07.2025, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:



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JUDGMENT

Dated this the 15th day of July, 2025

The writ petition was filed by the petitioner seeking to quash Exts.P3 and P4 and to permit the petitioner to resume his practice as an Advocate by lifting the impugned restraint in Ext.P1.

2. When this writ petition came up for hearing today, the learned Senior Counsel appearing at the instance of the counsel for the Bar Council of Kerala submitted that the Bar Council of Kerala, in its meeting held on 11.07.2025, has considered representation submitted by the petitioner and the Council has decided that the restraint on the petitioner from practice pursuant to the order dated 15.05.2025 shall be lifted subject to four conditions which are as quoted below:

“(1) You shall fully co-operate with the disciplinary proceedings pending before the Council.

(2) You shall strictly adhere to the rules of professional conduct and ethics as provided



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under the Bar Council of India Rules and shall not interfere with the professional practice of the victim in this case.

(3) You shall not do any hardship to the victim in the case.

(4) The renovation of the restraint is in no way connected with the disciplinary committee proceedings, pending before the Disciplinary Committee and you shall not act in any manner inconsistent with the dignity of the legal profession.”

3. The counsel for the petitioner would submit that the petitioner is now implicated in a criminal case and trial will be on soon. If the petitioner is forced to depose before the Disciplinary Committee of the Bar Council, that may adversely affect the petitioner’s defence and therefore the condition as to co-operate with the disciplinary proceeding pending before the Council may not be enforced.

4. In the facts of the case, I find considerable force in the contention of the petitioner that giving evidence before the Bar Council of Kerala may affect his defence before the Criminal Court. The Senior Counsel would however point out that as per law, a criminal case and



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disciplinary proceedings can go parallelly.

5. These are all matters that can be considered by the Bar Council and the petitioner can apprise the issue to the Bar Council if disciplinary action is proceeded with. If the petitioner raises the concern before the Bar Council, I am of the view that the Bar Council shall consider the same taking into account the nature of the alleged crime, before proceeding with the disciplinary action.

With the said observations, the writ petition is disposed of. All other legal contentions are left open.

Sd/-

N.NAGARESH

JUDGE

spk



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APPENDIX OF WP(C) 23137/2025

PETITIONER EXHIBITS

Exhibit P1	A TRUE COPY OF SHOW CAUSE NOTICE ISSUED TO THE PETITIONER DATED 15.05.2025
Exhibit P2	A TRUE COPY OF THE REPLY FILED TO THE SHOW CAUSE NOTICE DATED 26.05.2025
Exhibit P3	A TRUE COPY OF THE LETTER DATED 28.05.2025 ISSUED TO THE PETITIONER
Exhibit P4	A TRUE COPY OF THE LETTER DATED 04.06.2025 ISSUED TO THE PETITIONER
Exhibit P5	A TRUE COPY OF THE LETTER DATED 13.05.2025 ISSUED TO THE RESPONDENT
Exhibit P6	A TRUE COPY OF THE JUDGMENT OF THE DIVISION BENCH OF THIS HON'BLE COURT IN YESHWANTH SHENOY V. BAR COUNCIL OF KERALA [WA NO. 1043 OF 2025, DECIDED ON 20.06.2025]

RESPONDENT EXHIBITS

Exhibit R1(a)	TRUE COPY OF THE JUDGMENT IN W.A. 778/2024 BY THIS HONOURABLE COURT.
Exhibit R1(b)	TRUE COPY OF THE MEMO OF CHARGES FRAMED BY THE DISCIPLINARY COMMITTEE DATED 15.06.2025