

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATE: 02.07.2019

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN**Cr1.O.P.(MD).No.9264 of 2017****and****Cr1.M.P.(MD).Nos.5898 and 5899 of 2019**

1. Dr.Kishan Gilbert

2. Dr.Ibrahim ... Petitioners/Accused No.1 & 2

-Vs-

1.The State represented by
the Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli City,
Crime No.276 of 2015 ... 1st Respondent/Complainant

2.Chinnadurai ... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in C.C.No.438 of 2019 on the file of the learned Judicial Magistrate Court No.IV, Tirunelveli and quash the same.

For Petitioners : Mr.N.Mohideen Basha

For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Cr1.side)**O R D E R**

The learned counsel appearing for the petitioners seeks permission of this Court to withdraw this criminal original petition and made an endorsement to that effect. Learned counsel for the petitioners also submitted that the petitioners are the Doctors and they are not in a position to appear before the trial Court for every hearing and hence, their appearance may be dispensed with.

2. In view of the endorsement made by the learned counsel for the petitioners, this criminal original petition is dismissed as withdrawn.



3. However, if the petitioners are not in a position to appear before the trial Court, it is always open to them to file necessary petition before the concerned trial Court, explaining the reason for their non-appearance, and on filing such application, the trial Court is directed to consider the same and pass suitable orders on merits. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(AD-I)

// True Copy //

Sub Assistant Registrar(CS)

akv

To

- 1.The Judicial Magistrate Court No.IV,
Tirunelveli.
- 2.The Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli City,
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.N.MOHIDEEN BASHA, Advocate Sr. No.72718

Cr1.O.P. (MD) .No.9264 of 2019
02.07.2019

SMV(CO)

TR (17.07.2019) 2P 5C