

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.P.JYOTHINDRANATH

TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937

Cr1.MC.No. 1230 of 2013 ()

AGAINST THE ORDER IN CRL.M.P.NO.2172/2012 IN S.T.NO.86/2011 OF
THE CHIEF JUDICIAL MAGISTRATE, PATHANAMTHITTA DATED:13.02.2013

PETITIONER/ACCUSED:

G.SATHEESH KUMAR, AGED 27 YEARS,
S/O. LATE B.GOPAN, SATHEESH BHAVANAM,
CHANGA P.O., VALLANADU, TRIVANDRUM.

BY ADVS.SRI.T.A.UNNIKRISHNAN
SRI.P.BAJI RAVEENDRAN

RESPONDENTS/COMPLAINANT:

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1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.
 2. A.RADHAKRISHNAN NAIR, AGED 48 YEARS
S/O. R.ARAVINDASHAN, ELANTHOORATHU HOUSE,
CHITTAR P.O., CHITTAR-SEETHATHODU VILLAGE,
PIN-689 663.

R1 BY PUBLIC PROSECUTOR: SMT.LISHA M G
R2 BY ADV. SRI.AJEESH K.SASI

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON
28-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Cr1.MC.No. 1230 of 2013 ()

APPENDIX

PETITIONER(S) ' EXHIBITS

ANNEXURE 1 - COPY OF THE COMPLAINT DATED 24-3-2011 FILED
BEFORE THE CHIEF JUDICIAL MAGISTRATE COURT,
PATHANAMTHITTA.

ANNEXURE II - COPY OF THE CHIEF AFFIDAVIT DATED 17-11-2011.

ANNEXURE III - COPY OF THE ORDER DATED 13-2-2013 IN
CRL.MP.NO. 2172/2012 IN S.T.NO.86/2011 OF THE
CHIEF JUDICIAL MAGISTRATE COURT, PATHANAMTHITTA.

RESPONDENT(S) ' EXHIBITS: NIL

//TRUE COPY//

P A TO JUDGE

skr

K.P.JOTHINDRANATH, J

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CRL.M.C 1230/2013

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Dated this the 28th day of July, 2015

ORDER

This is an application filed under section 482 of the Code of Criminal Procedure to quash Annexure 3 order of the Chief Judicial Magistrate Court, Pathanamthitta. The facts are as follows.

2. A Complaint under Section 138 of the Negotiable Instruments Act is filed. The petitioner herein is the accused in the above complaint. When he appeared before the court he contended that the court is not having the territorial jurisdiction. That aspect was considered by the court below and passed the impugned Annexure III order. Aggrieved by the said order this petition filed to quash the said order and to direct to return the complaint.

3. When this petition came up for hearing, both the counsel conceded that the Negotiable Instruments (Amendment Ordinance) Act, 2015 is now in force. Under such circumstance, this petition is not pressed. Thus, this petition is dismissed on the light of above submissions.

K.P. JYOTHINDRANATH
JUDGE

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