

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

THURSDAY, THE 26TH DAY OF FEBRUARY 2015/7TH PHALGUNA, 1936

Tr.P(Crl.).No. 21 of 2014 ()

IN CC 2523/2013 of C.J.M.,THRISSUR

PETITIONER(S):

**SAJITHA. T, AGED 45 YEARS
W/O SOMASUNDARAM, THENDIYMMEL HOUSE, PUTHIYA NIRATHU
VENGALI, CALICUT 673303**

**BY ADVS.SRI.GEORGE KARITHANAM VARGHESE
SRI.JOSE KURIAKOSE (VILANGATTIL)
SRI.JOY ABRAHAM (KOZHIKODE)**

RESPONDENT(S):

**1. M/S. CHEMMANUR INTERNATIONAL JEWELLERS,
SHORNUR RAOD, THRISSUR, PROPRIETOR
MR. C. D BOBY REPRESENTED BY THE P.A HOLDER
HAREESH V.H.
ASST. MANAGER (LEGAL)**

**2. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM**

R BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE. P

**THIS TRANSFER PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON
26-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Tr.P(Crl.).No. 21 of 2014 ()

APPENDIX

PETITIONERS ANNEXURES:

**A1: TRUE COPY OF THE COMPLAINT FILED BEFORE THE CJM COURT, THRISSUR
AS C.C 2523 OF 2013**

**A2: TRUE COPY OF THE COMPLAINT FILED BEFORE THE JFMC, II, KOZHIKODE
AS C.C NO.706/2013**

RESPONDENTS ANNEUXURES: NIL

/TRUE COPY/

**PA TO JUDGE
sab**

P.UBAID, J.

Tr.P. No. 21 of 2014

Dated this the 26th day of February, 2015.

O R D E R

The petitioner herein is the accused in C.C No.2523 of 2013 of the Chief Judicial Magistrate's Court, Thrissur. She seeks transfer of the case to Kozhikode on the ground of territorial jurisdiction, in view of the position recently settled by the Hon'ble Supreme Court. Which court will have territorial jurisdiction, is not a matter to be enquired into and decided by this court in this proceeding. Transfer is not the remedy in such a situation. The petitioner can very well make an application before the learned Magistrate to return the complaint for presentation before the proper court. If the court finds that the court has no territorial jurisdiction in view of the decision of the Hon'ble Supreme Court, it will definitely be returned.

With these observation, this transfer petition is closed.

P.UBAID,
JUDGE