

ITEM NO.29 Court 6 (Video Conferencing) SECTION II

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s). 3978/2021

(Arising out of impugned final judgment and order dated 03-03-2021 in CRLP No. 379/2020 passed by the High Court Of Andhra Pradesh At Amravati)

NERELLA CHIRANJEEVI ARUN KUMAR Petitioner(s)

VERSUS

THE STATE OF ANDHRA PRADESH & ANR. Respondent(s)

(IA No.64679/2021-EXEMPTION FROM FILING O.T. )

Date : 02-08-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO  
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s) Mr. M Srinivas R Rao, Adv.  
Mr. Abid Ali Beeran P, AOR  
Mr. Sarath S Janardanan, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

This Special Leave Petition is filed against an order passed by the High Court dismissing the application filed under Section 482 Cr.P.C. to quash the FIR. The contention of the petitioner is that the alleged offences were committed in the USA and in accordance with Section 188 of the Cr.P.C., sanction from the Central Government is required even for initiation of investigation of the crime. This Court in *Thota Venkateswarlu vs. State of A.P. Tr.*

*Principal Secretary & Anr.* reported in 2011 (9) SCC 527 categorically held that previous sanction of the Central Government under Section 188 Cr.P.C. for offences committed by a citizen of India outside the country is not required at the stage of cognizance. However, this Court makes it clear that the trial of the criminal case cannot commence without sanction being accorded under Section 188 Cr.P.C.

In view of the aforesaid findings recorded by this Court in *Thota Venkateswarlu* (supra), we do not deem it proper to interfere with the order passed by the High Court. The Special Leave Petition is dismissed. Pending application(s), if any, shall stand disposed of.

Needless to mention that the petitioner is at liberty to raise the ground pertaining to sanction before the commencement of the trial.

(Geeta Ahuja)  
Court Master

(Anand Prakash)  
Court Master