



CNR: KAHC010266942026

NC: 2026:KHC:51771
CRL.P No. 5812 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO. 5812 OF 2026

BETWEEN:

MR. NIDAMANURI BHARGAVA SRINIVAS,
S/O. RAMA RAO NIDAMANURI,.
AGED ABOUT 22 YEARS,
R/AT TC 19/1515(2),
8TH LANE, KARISHNA NAGAR,
PEROORKADA, THIRUVANANTHAPURAM,
PERURKADA, THIRUVANANTHAPURAM,
KERALA-695005.

...PETITIONER

(BY SRI M S VISWANATHA, ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY STATE CEN CRIME POLICE STATION, MYSURU.
REPRESENTED BY HCGP/ SPP
HIGH COURT OF KARNATAKA, BENGALURU-560001.

2. M/S. VEEPHOENIX COMPLIANCE PVT. LTD.,
REPRESENTED BY ITS AUTHORIZED SIGNATORY
MR. GIRISH M,
S/O MAHADEVAPPA,
AGED ABOUT 36 YEARS,
HAVING ITS OFFICE ATNO. 273
16TH MAIN ROAD, SARASWATHI PURAM,
MYSORE, MYSURU CITY, KARNATAKA - 570009.

...RESPONDENTS

(BY SRI M V ANOOP KUMAR, ADDL.SPP FOR R1,
SRI SHYAM SUNDAR M S, SR.ADVOCATE FOR
SRI S AMRUTH CHOWDHARY, ADV. FOR R2)

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THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNNS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO QUASH THE FIR IN CRIME NO.9/2026 REGISTERED BY THE STATE CEN CRIME POLICE STATION, MYSURU PENDING BEFORE THE I ADDL.CIVIL JUDGE (SR.DN) AND CJM MYSURU CITY FOR THE ALLEGED O/P/U/S 66C OF I.T ACT, 2000, INSOFAR AS THE PETITIONER IS CONCERNED.

THIS PETITION, COMING ON FOR ADMISSION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

Heard the learned counsel appearing for the petitioner. Learned Additional State Public Prosecutor for the respondent No.1-State and the learned Senior counsel appearing for respondent No.2.

2. This petition is filed to quash the FIR and the charge sheet in Crime No.9/2026 registered before the State CEN Crime Police Station, Mysuru. The aforementioned FIR came to be registered pursuant to the complaint dated 17.01.2026 filed by the respondent no.2-Company.

3. It is stated that the second respondent Company is involved in providing back-end services to M/s Doctor Alliance, an American Company. The complaint is filed allegedly based

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on the information from M/s. Doctor Alliance. The complainant is informed that there is a large-scale data theft and there is a demand for money. Based on the said information received from M/s Doctor Alliance, the complaint is filed.

4. Paragraph No.4 of the complaint reads as under.

"4. As the Indian company the Veephoenix Compliance private limited having the complete access and control of the Doctor Alliance data base has provided the access to the Interms, Regular Employees, Office bearers of the Veephoenix Compliance private limited."

5. Learned counsel appearing for the petitioner would submit that the FIR could not have been registered and investigation could not have been undertaken without complying requirement of Section 208 of the Bharatiya Nagarik Suraksha Sanitha, 2023 ('BNSS'). Said section reads as under.

"208. When an offence is committed outside India—

(a) by a citizen of India, whether on the high seas or elsewhere; or

(b) by a person, not being such citizen, on any ship or aircraft registered in India,

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he may be dealt with in respect of such offence as if it had been committed at any place within India at which he may be found or where the offence is registered in India:

Provided that notwithstanding anything in any of the preceding sections of this Chapter, no such offence shall be inquired into or tried in India except with the previous sanction of the Central Government."

6. Referring to the contents of the complaint, learned counsel for the petitioner would submit that, the theft has occurred in United States of America (USA) and information in this behalf is first lodged by the client in USA, as such, Section 208 of the BNSS would apply and the complaint and FIR has to be quashed.

7. In addition, the learned counsel for the petitioner would also submit that nobody is named in the complaint. Petitioner is also not named in the complaint and there is no reason to investigate the petitioner.

8. It is his further submission that the petitioner has already co-operated with the Investigation and has furnished all the materials that are available with him. However, the

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investigation is not yet completed and the petitioner is harassed.

9. Learned Senior Counsel appearing for the respondent no.2 would submit that Section 208 of BNSS does not apply to the facts of this case as the complaint is filed by the Indian Company. It is alleged in the complaint that some of its employees working in India might have indulged in the act and the Indian Company wants the investigation in accordance with law to ascertain the truth of the matter.

10. Learned Additional SPP would submit that three notices have been issued to the petitioner to appear for investigation and petitioner has not replied to the notice. Once the petitioner appeared personally for interrogation, but he has not handed over the device which the Investigating Agency is seeking from the petitioner for further investigation.

11. The Court has considered the contentions raised at the Bar and perused the records.

12. As already noticed above, Section 208 of BNSS mandates the prior permission of the Central Government to

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investigate the offences referred to in Section 208 of BNSS. Section 208 refers to the offences committed both outside India or on the high seas.

13. It is relevant to notice that in the complaint there is an allegation that the offence might have been committed by the employees of the complainant working in India.

14. It is also noticed from the contents of the complaint that the allegation is the theft of the data. Such an offence can be committed sitting in India and it is not necessarily that the offender must be in USA to commit the theft.

15. It is also the further submission that the data was transmitted to the complainant Company by the client in USA. Thus, such data was very much available in India. That being the position, Section 208 of the BNSS doesn't apply.

16. Merely because the petitioner is not named in the complaint, that is not a ground to quash the complaint. Investigating Agency has to investigate the matter to find out as to who is responsible for the alleged data theft.

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17. Petitioner shall co-operate for the investigation and same shall be completed in accordance with law.

18. Hence the following:

ORDER

- (i) Petition is ***dismissed***.
- (ii) Merely because the petition is dismissed, it does not mean that the Court has expressed anything on the merits of the complaint.
- (iii) Whether the petitioner is involved in the alleged act or not, has to be ascertained after investigation.
- (iv) Since it is submitted that the petitioner is now working in Noida, whenever he attends the Police Station in Mysuru for investigation pursuant to the notice, the Investigating Officer shall conduct the investigation without driving the petitioner to Mysuru repeatedly, unless warranted for justifiable reasons, and the petitioner shall co-operate for investigation.

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(ANANT RAMANATH HEGDE)
JUDGE

CHS/List No.: 2 SI No.: 9