

FIRST INFORMATION REPORT

TAMIL NADU POLICE
INTEGRATED INVESTIGATION FORM-1

முதல் தகவல் அறிக்கை

(Under Section 154 Cr.P.C.)

(கு.ந.வி.தொ.பிரிவு 154 இன் கீழ்)

C

8033 660

1. District :
மாவட்டம்

Theni

PS:

Vigilance &
Anti Corruption,
காவலநிலையம் Theni.

Year:

2019

FIR No.:

02/2019

Date:

12.03.2019

2. (i) Act சட்டம்:

IPC

Sections பிரிவுகள்:

109

(ii) Act சட்டம்:

Prevention of Corruption
(Amendment) Act 2018

Sections பிரிவுகள்:

13(2) & 13(1)(b)

(iii) Act சட்டம்:

Sections பிரிவுகள்:

(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் :

3. (a) Occurrence of Offence Day :

Date from :

01.01.2009

Date to :

31.12.2016

குற்ற நிகழ்வு நாள்

நாள் முதல்

நாள் வரை

Time Period :

Time from :

Time to :

நேர அளவு

நேரம் முதல்

நேரம் வரை

(b) Information Received at PS. Date :

18.11.2014

Time :

காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள்

நேரம்

(c) General Diary Reference : Entry No(s)

12.03.2019

Time : 16.00 Hrs.

பொது நாட்குறிப்பில் பதிவு விவரம் எண்

நேரம்

4. Type of Information : Written/ Oral :

தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக

Written

5. Place of Occurrence (a) Direction and Distance from PS:

About 30kms South West

குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும்

Beat Number :

(b) Address :

D.No. 3/3C, Gandhi Complex Back side,
Rasingapuram, Badinayakanur (Taluk),
Theni District.

முறைக் காவல் எண்

முகவரி

(c) In case outside limit of this Police Station, then the Name of P.S. :

District :

இக்காவல் நிலைய எல்லைக்கப்பால் நடந்து இருக்குமாயின், அந்நிலையில் அந்த கா.நி.பெயர் மாவட்டம்

6. Complainant /Informant (a) Name :

M. Sathiyaseelan

(b) Father's/ Husband's Name :

Mallaiyan

குற்றமுறையிட்டாளர்/ தகவல் தந்தவர் பெயர்

தந்தை / கணவர் பெயர்

(c) Date / Year of Birth :

1972

(d) Nationality :

(e) Passport No. :

நாள் / பிறந்த ஆண்டு

நாட்டினம்

வெளிநாட்டு கடவுச்சீட்டு எண்

Date of Issue :

Place of Issue :

வழங்கப்பட்ட நாள்

வழங்கப்பட்ட இடம்

(f) Occupation :

Deputy Supt
of Police.

(g) Address :

Vigilance & Anti Corruption,
Madurai 1/2 Theni District.

தொழில்

முகவரி

7. Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary)

தெரிந்த / ஐயப்பாட்டிற்குரிய / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள்

(தேவையெனில் தனித்தாள் இணைக்கவும்)

- 1) K. Sellamuthu, 3/6 Karupiah, Asst. Engineer, % Dist. Water Shed Development Agency, Theni Dist.
- 2) Mt. Sathish, % Sellamuthu, 3/3C, Rasingapuram, Badinayakanur Taluk, Theni District.
- 3) Tr. Selvan, 3/6 Kannan, Son-in-Law of Sellamuthu, Rasingapuram, Badinayakanur Taluk, Theni District.

8. Reasons for delay in reporting by the complainant / Informant:

குற்றமுறையிட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்

— NIL —

9. Particulars of properties stolen / involved (Attach separate sheet if necessary) - NIL -
களவாடப்பட்ட / களவிற்குள்ளான சொத்துக்களின் விவரம் (தேவையெனில் தனித் தாளில் இணைக்கவும்)
10. Total value of properties stolen / involved : - NIL -
களவாடப்பட்ட / களவிற்குள்ளான சொத்துக்களின் மொத்த மதிப்பு
11. Inquest Report / Un-natural death Case No. if any: - NIL -
பிண விசாரணை அறிக்கை / இயற்கைக்கு மாறான இறப்பு எண் ஏதேனும் இருந்தால்
12. FIR Contents (Attach separate sheet, if required) :
முதல் தகவல் அறிக்கையின் சுருக்கம். (தேவையெனில் தனித்தாளில் இணைக்கவும்)

Hon'ble Sir, received the information pertaining to the registration of FIR as per the instruction in memorandum No.DE.107/2014/AGRI/TN, dated 17.12.2018 of the Director, Vigilance and Anti Corruption, Chennai, I registered a case in Theni V&AC Cr.No.02/2019 u/s 109 IPC and 13(2) r/w13(1)b) of Prevention of Corruption (Amendment) Act 2018 on 12.03.2019 and submit as under. The accused No.1 K.Sellamuthu native of Ammapatti village at Uthamapalayam Taluk, Theni District joined in the Government service as Assistant Soil Development Officer on 09.11.1984. Then the accused No.1 elevated as Assistant Engineer during the year 2008 and as such as he is a Public Servant as defined under section 2(c) of prevention of corruption of Act 1988. The Accused No.2 Tmt.Santhi is a Wife of Accused No.1 K.Sellamuthu and she is a house wife.

13. Action taken : Since the above report reveals commission of offence(s) u/s as mentioned at item No.2 registered the case and took up the investigation / directed Rank to take up the Investigation / Refused Investigation / transferred to PS.....on point of jurisdiction.

எடுக்கப்பட்ட நடவடிக்கை : மேலே குற்ற முறையீட்டில் உள்ளவை பிரிவு 2ல் கூறப்பட்ட சட்ட பிரிவுப்படியான குற்றமாக வழக்கு பதிவு செய்து புலனாய்வுக்கு எடுத்துக்கொள்ளப்பட்டது / பணிக்கப்படுதல் பதவி நிலை பணியாளரின் புலனாய்வுக்கு எடுத்துக்கொள்ள பணிக்கப்பட்டது / மறுக்கப்பட்டு எல்லையைக் கருதி புலனாய்வுக்கு காவல் நிலையத்திற்கு மாற்றப்படுகிறது.

FIR read over to the Complainant / Informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost.

முதலா. குற்றமுறையீட்டாளருக்கு / தகவல் தந்தவருக்கு படித்துக்காட்டி, அது சரியாக எழுதப்பட்டு இருப்பதாக ஏற்றுக் கொள்ளப்பட்டு, அதன் படி நகல் ஒன்று இலவசமாக கொடுக்கப்பட்டது.

14. Signature / Thumb Impression of the Complainant / Informant
குற்றமுறையீட்டாளர் / தகவல் கொடுப்பவரின் ஒப்பம் / பெருவிரல் இரேகைப் பதிவு

Signature of the Officer in-charge, Police Station
காவல் நிலைய பொறுப்பு அலுவலரின் ஒப்பம்

15. Date & Time of despatch to the court:
நீதிமன்றத்திற்கு அனுப்பப்பட்ட நாளும், நேரமும்

12.03.2019
19.00 hrs.

Name: பெயர் M. SATHYASEELAN,
Rank: நிலை Deputy Supdt. of Police,
Vigilance & Anti Corruption,
Madurai & Theni Dist.

**First Information Report of Theni Vigilance and Anti-Corruption,
Cr.No.2/2019 continues:**

The Accused No.1 K.Sellamuthu married Accused No.2 Tmt.Santhi on 08.04.1987 and they have one daughter and one son. Accused-1 K.Sellamuthu's son S.Yuvaraja aged about 28 years had completed B.E., degree and he is working at IT field in Chennai from 2011. Accused No.1 K.Sellamuthu's daughter C.Priyadarshini aged about 26 Years and she got married with A3- Tr.Selvan on 06.06.2011. Now, A-1 is resideing at D.No.3/3C, Gandhi Complex Back Side, Rasingapuram, Bodinayakanue Taluk, Theni District.

On credible information which disclosed that A1- K.Sellamuthu has no ancestral property and no significant sources of income to his family except his salary income, he has accumulated large number of properties, which are suspected to be disproportionate to the known sources of his income. On verification, it was found that the accused purchased most of the property in the name of his wife A2 - Tmt.Santhi, a house wife and in the name of his son-in-law A3 - Tr.Selvan, H/o C.Priyadarshini. Hence, the A1 had amassed wealth in his name and in the name of his family members.

Considering the events, which took place during the course of his employment and by taking into account of the transactions of the movable and immovable properties made by the accused, the check period was fixed during the period between 01.01.2009 and 31.12.2013. The most of the purchased properties are situated in the Theni District.

Accordingly the assets that stood in the names of the family members of the accused at the beginning of the check period i.e. on 01.01.2009 are valued as Rs.2,51,235/- The assets of movable and

immovable properties that stood in the name of the family members of the accused at the end of the check period i.e. on 31.12.2013 are valued as Rs.1,51,79,193.26/- The probable income of the accused during the check period between 01.01.2009 and 31.12.2013 was calculated as Rs.1,56,48,031.00/- The probable expenditure during the check period taking in to consideration of the status of the accused and his family members are worked out to Rs. 71,08,566.80/-

The disproportionate assets at the end of the check period are worked out as follows.

<u>Statement – I</u>		
Assets at the beginning of the check period	Rs.	2,51,235.00
<u>Statement – II</u>		
Assets at the end of the check period	Rs.	1,51,79,193.26
<u>Statement – III</u>		
Income during the check period	Rs.	1,56,48,031.00
<u>Statement – IV</u>		
Expenditure during the check period	Rs.	71,08,566.80
<u>Statement – V</u>		
Assets at the end of the check period	Rs.	1,51,79,193.26
Assets at the beginning of the check period	Rs.	2,51,235.00
Assets acquired during the check period	Rs.	1,49,27,958.26
<u>Statement – VI</u>		
Income during the check period	Rs.	1,56,48,031.00
Expenditure during the check period	Rs.	71,08,566.80
Likely Savings during the check period	Rs.	85,39,464.20
<u>Statement – VII</u>		
Value of the assets acquired	Rs.	1,49,27,958.26
Likely Savings	Rs.	85,39,464.20
Disproportionate assets	Rs.	63,88,494.06

$$\text{Percentage of Disproportionate Asset} = \frac{\text{Rs. } 63,88,494.06}{\text{Rs. } 1,56,48,031.00} \times 100 = 40.82\% \text{ @ } 41\%$$

Thus the accused, is found in possession of movable and immovable properties under pecuniary resources during the check period to the extent of Rs.63,88,494.06/- which are the disproportionate assets to his known sources income and for which A1 to A3 have not satisfactory account for.

Further, alter the check period i.e. 01.01.2009 to 31.12.2013, the A.O. had purchased some properties worth amount of Rs.3,27,76,880/- in his name and in the name of his family members at Theni District and Edukki District of Kerala after the above said period. Hence, the check period is extend as 01.01.2009 to 31.12.2016.


Accused No.1 being a Public Servant and while holding the post of Assistant Engineer, during the period between 01.01.2009 and 31.12.2016 has abused his position as public servant and also he has accumulated assets and possessed resources mostly in his name and in the name of his family members and he has committed an offence of criminal misconduct punishable under section 13(2) r/w 13(1)(b) of Prevention of Corruption (Amendment) Act 2018.

In the course of the same transactions and during the said period, A2 being the wife of A1 and A3 being the son-in-law of A1, are holding the properties in their names and also persuaded for the commission of the said offence of criminal misconduct punishable under section 109 IPC and 13(2) r/w 13(1)(b) of Prevention of Corruption (Amendment) Act 2018.

There are, prima facie materials are available on records for taking up investigation against the above mentioned accused 1 to 3 for the

offences under section 109 IPC and 13(2) r/w 13(1)(b) of Prevention of Corruption (Amendment) Act 2018.

Hence, I am registering a case in Vigilance and Anti Corruption, Theni Detachment in Crime.No.02/2019 under section 109 IPC and 13(2) r/w 13(1)(b) of Prevention of Corruption (Amendment) Act 2018 against A.1 Tr.K.Sellamuthu, Assistant Engineer, District Watershed Development Agency, Theni, A-2 Tmt.Santhi, W/o K.Sellamuthu and A-3 Tr.Selvan, S/o Kannan, D.No.208/4, Devaram Main Road, Rasingapuram, Theni District on 12.03.2019 at 16.00 hrs. The F.I.R. (original) is submitted to the Hon'ble Chief Judicial Magistrate/Special Judge Court, Theni and copies of the same were sent to the officials concerned.


12/03/2019 -
DSP, V. S. S.,
Madurai,
I.C. Theni.