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**FIRST INFORMATION REPORT**

**முதல் தகவல் அறிக்கை**  
(Under Section 154 Cr.P.C.)  
(கு.ந.வி.தொ.பிரிவு 154 இன் கீழ்)

**TAMIL NADU POLICE**  
INTEGRATED INVESTIGATION FORM-I

**C 8109762**

1. District : **Thoothukudi** PS: **Vigilance and Anti-Corruption Thoothukudi** Year: **2022** FIR No.: **07/2022** Date: **27.09.2022**  
மாவட்டம் காவல்நிலையம் ஆண்டு முத.அ. எண் நாள்
2. (i) Act சட்டம்: **Indian Penal Code** Sections பிரிவுகள்: **120-B, 166-A, 34**  
(ii) Act சட்டம்: **Prevention of Corruption Act, 1988** Sections பிரிவுகள்: **7**  
(iii) Act சட்டம்: **as Amended by Act 2018.** Sections பிரிவுகள்:  
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் :
3. (a) Occurrence of Offence Day : Date from : Date to :  
குற்ற நிகழ்வு நாள் நாள் முதல் **MAY - 2020** நாள் வரை **JULY - 2020**  
Time Period : Time from : Time to :  
நேர அளவு நேரம் முதல் நேரம் வரை  
(b) Information Received at PS. Date : Time :  
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் **09.08.2021** நேரம்  
(c) General Diary Reference : Entry No(s) Time : **13.00 hrs**  
பொது நாட்குறிப்பில் பதிவு விவரம் எண் நேரம்
4. Type of Information : Written/ Oral : **Written**  
தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக
5. Place of Occurrence (a) Direction and Distance from PS:  
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும்  
Beat Number : (b) Address :  
முறைக் காவல் எண் முகவரி  
**Various places in Thoothukudi District**
- (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 : **S.Peter Paul Durai** (b) Father's/ Husband's Name : **SIRONMANI**  
குற்றமுறையிட்டாளர்/ தகவல் தந்தவர் பெயர் தந்தை / கணவர் பெயர்  
(c) Date / Year of Birth : **30.01.1968** (d) Nationality : **Indian** (e) Passport No. :  
நாள் / பிறந்த ஆண்டு நாட்டினம் வெளிநாட்டு கடவுச்சீட்டு எண்  
Date of Issue : Place of Issue :  
வழங்கப்பட்ட நாள் வழங்கப்பட்ட இடம்  
(f) Occupation : **Deputy Supdt. of Police** (g) Address : **Vigilance and Anti-Corruption, Kanniyakumari Detachment.**  
தொழில் முகவரி
7. Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary)  
தெரிந்த / ஐயப்பட்டிருந்த / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள்  
(தேவையெனில் தனித்தாள் இணைக்கவும்)  
**(1.) Tr.R.Suresh Kumar, aged 57/2022, S/o Ramasamy, Formerly Deputy Supdt. Of Police, Srivaikundam Sub-Division, Thoothukudi District now working at District Crime Branch, Tirunelveli District. (2.) Tr.P.Pattani, aged 59/2022, S/o Pappu, Formerly Circle Inspector of Police, Eral and Sawyerpuram Police Station, Thoothukudi District now at Nazareth Police Station, Thoothukudi.**
8. Reasons for delay in reporting by the complainant / Informant.  
குற்றமுறையிட்டாளரால் / தகவல் கொடுப்பவரால் முறையிடவில்லை காரணம்  
**Preliminary Enquiry conducted and hence the delay.**

9. Particulars of properties stolen / involved (Attach separate sheet if necessary)  
கனவாடப்பட்ட / களவிற்குள்ளான சொத்துக்களின் விவரம் (தேவையெனில் தனித் தாளில் இணைக்கவும்)

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

- SEPARATE SHEET ENCLOSED -

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 **McClarine Eskhol**, Rank **ADSP of Police**..... 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.

மு.த.அ. 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

**S.PETER PAUL DURAI**

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

Name: பெயர் **S. PETER PAUL DURAI**  
Rank: நிலை **DSP, V.K.A.E.** No. எண் .....

*Kanjayamari detachment  
@ Wazeroor*

**27.09.2022 at 14.00 hrs**

**Attachment to Column No.12 of First Information Report in  
Thoothukudi Vigilance and Anti-Corruption Cr.No.07/2022**

**Honourable Sir,**

Accused :

1. Tr.R.Suresh Kumar, aged 57/2022,  
S/o Ramasamy,  
Formerly Deputy Supdt. Of Police,  
Srivaikundam Sub-Division,  
Thoothukudi District  
now working at District Crime  
Branch, Tirunelveli District.
2. Tr.P.Pattani, aged 59/2022,  
S/o Pappu,  
Formerly Circle Inspector of Police,  
Eral and Sawyerpuram Police  
Station, Thoothukudi District  
now at Nazareth PS,  
Thoothukudi.

**Submitted:-**

I, S.Peter Paul Durai, Deputy Superintendent of Police, Vigilance and Anti-Corruption, Kanyakumari Detachment @ Nagercoil, while on duty on today 27.09.2022, I received a memorandum from Directorate of Vigilance and Anti-Corruption, Chennai in PE.62/2021/POL/TK, dated 20.09.2022 along with a copy of prior approval order G.O.(2D)No.152, Home(Police.2) Department, dated

5.5.2022 under Section 17(A)(1) of the Prevention of Corruption Act, 1988 as amended by Act 2018 and in the memorandum it has been instructed to register a regular case against Tr.R.Suresh Kumar, the then Deputy Superintendent of Police, Srivaikundam Sub-Division, Thoothukudi District now working at District Crime Branch, Tirunelveli District and Tr.P.Pattani, the then Circle Inspector of Police, Eral and Sawyerpuram Police Stations, Thoothukudi District now at Nazareth Police Station, Thoothukudi District, on the outcome of a Preliminary Enquiry conducted for the allegation took place at Thoothukudi District. Accordingly I came to Thoothukudi Vigilance and Anti-Corruption Detachment and registering a case in Thoothukudi V&AC Cr.No.07/2022 u/s 120-B, 166-A, 34 of IPC and 7 of the Prevention of Corruption Act, 1988, as Amended by Act 2018 on 27.09.2022 at 13.00 hrs. The factual matrix of the case disclosed in the enquiry runs as follows.

The defacto complainant in this case is Tr.J.Chenthil Rajan, S/o.S.Jagatheesan, No.3, Mela Theri Road, Keeraikaranthattu, Tisayanvilai, Tirunelveli District. 1<sup>st</sup> accused Tr.R.Suresh Kumar, the then Deputy Superintendent of Police, Srivaikundam Sub-Division, Thoothukudi District now working at District Crime Branch, Tirunelveli District and Tr.P.Pattani, the then Circle Inspector of Police, Eral and Sawyerpuram Police Stations, Thoothukudi District now at Nazareth Police Station, Thoothukudi District are public servants within the ambit purview 2(c) of Prevention of Corruption Act, 1988.

The petitioner Tr.J.Chenthil Rajan has alleged in his petition dated 20.10.2020 that their existed enmity over property disputes between his family and his Father's brother family. His father's brother Tr.Vaikunda Rajan caused disturbances in running their partnership firms 1) M/s.V.V.Marine Products, Agaram Village, Eral, Thoothukudi Dist and 2) M/s.V.V.Marine Cold Storage, Servaikaran Madam, Thoothukudi Dist. Further it is alleged that two occurrences took place at their above said firms M/s.V.V.Marine Products, Agaram Village, Eral on 21.05.2020 at 14.00 hrs and at M/s.V.V.Marine Cold Storage, Servaikaran Madam, Thoothukudi District on 21.05.2020 at 13.30 hrs respectively. When these occurrences were complained by Tr.X.Roisten Gagu and Tr.R.Devadas Thomas Thavaraj before Eral Police Station before the 2<sup>nd</sup> accused and Sawyerpuram Police Station respectively. But they dragged on the issue without registering the cases and instructed the above complainants to approach the 1<sup>st</sup> accused Deputy Superintendent of Police, Srivaikundam Sub-Division. Hence, Tr.X.Roisten Gagu and Tr.R.Devadas Thomas Thavaraj filed online complaints on 21.05.2020, 22.05.2020 and 26.05.2020 regarding the above occurrence. But even then no cases were registered.

On 29.05.2020 A.O-1 Tr.R.Suresh Kumar, Deputy Superintendent of Police, Srivaikundam Sub-Division, Thoothukudi District and A.O.2 Tr.P.Pattani, Circle Inspector of Police, Eral Police Station, Thoothukudi District had came to M/s.V.V.Marine Products and had instructed the father of Tr.J.Chenthil Rajan

namely Tr.S.Jagatheesan to come to Eral Police Station by evening 4.30 pm on the same day. Accordingly Tr.S.Jagatheesan has gone to Eral Police Station by 4.30 pm and met A.O.1 and A.O.2 at Eral Police Station. In the course of the said meeting A.O.1 Tr.R.Suresh Kumar, Deputy Superintendent of Police, Srivaikundam Sub-Division has insisted Tr.S.Jagatheesan to enter to the compromise with Tr.Vaikundarajan for sum of Rs.75 crores and also to divide the property as stated in the list provided by A.O.1 Tr.R.Suresh Kumar, Deputy Superintendent of Police, Srivaikundam Sub-Division. Furthermore A.O.1 Tr.R.Suresh Kumar, Deputy Superintendent of Police, Srivaikundam Sub-Division has insisted that, after settlement is completed Tr.S.Jagatheesan has to pay 10% as commission to him towards the settlement. If Tr.S.Jagatheesan failed to agree with this settlement no cases would be registered on the petitions filed by the men of Tr.S.Jagatheesan and also told that false cases will be registered against them as like registered against one Tr.Mariyappan based on the complaint of Tr.Muthuraja, the Manager of Tr.Vaikundarajan.

Further Tr.X.Roisten Gagu, the Manager of M/s.V.V.Marine Products, Thoothukudi District had lodged complaint in Eral Police Station stating that on 16.06.2020 at about 13.00 hrs somebody entered into M/s.V.V.Marine Products and indulged in mischief and stolen away a sum of Rs.50,000/- possessed by an employee Tr.Pulikesi. Regarding this occurrence even though Tr.X.Roisten Gagu filed complaint before the Eral Police Station before the 2<sup>nd</sup> accused simply refused to accept the complaint and stated that without the instruction of the A.O.1 Tr.R.Suresh Kumar, Deputy Superintendent of Police, Srivaikundam Sub-Division, he will not entertain any complaint. So the above Manager had uploaded the complaint in the official website of Police Department.

Even after taking all the above steps, no case was registered against the accused as mentioned in the above said complaints. Tr.X.Roisten Gagu filed private complaints before the Learned Judicial Magistrate Court, Srivaikundam, Thoothukudi District as per CMP.No.721/2020 dated 06.07.2020 and

CMP.No.753/2020, dated 22.07.2020 for registering cases based on the complaints dated 21.05.2020 and 16.06.2020. The Hon'ble Judicial Magistrate passed orders to register cases. Accordingly Eral Police Station Crime Nos.343/2020 and 389/2020 were registered. After registration of the cases Accused Officers Tr.R.Suresh Kumar, Deputy Superintendent of Police, Srivaikundam Sub-Division and Tr.P.Pattani, Circle Inspector of Police, Eral and Sawyerpuram Police Stations failed to investigate the case in its true perspective and took steps to refer the cases as "mistake of fact".

In the meantime in the 1<sup>st</sup> week of July 2020, A.O.1 Tr.R.Suresh Kumar, Deputy Superintendent of Police, Srivaikundam Sub-Division had directed Tr.J.Chenthil Rajan to meet him at his camp office at Srivaikundam. In the course of the said meeting A.O.1 Tr.R.Suresh Kumar, Deputy Superintendent of Police, Srivaikundam Sub-Division had insisted to Tr.J.Chenthil Rajan to settle the property dispute existing between Tr.S.Jagatheesan father of Tr.J.Chenthil Rajan and Tr.Vaikunda Rajan the elder brother of Tr.Jegatheesan, as per the list provided by A.O.1 Tr.R.Suresh Kumar, Deputy Superintendent of Police, Srivaikundam Sub-Division. Moreover, A.O.1 had insisted to pay a sum of Rs.75 crores to Tr.Vaikundarajan so as to settle the disputes among them and also to pay 10% commission to A.O.1 Tr.R.Suresh Kumar, Deputy Superintendent of Police, Srivaikundam Sub-Division after settlement.

Section 154(1) Cr.P.C clearly mandates that if the information given to the Police Officer relates to the commission of a cognizable offence then it is mandatory for him to register the offence. The Accused Officers 1 and 2 had failed to exercise their duties in accordance with law and refuse to register a case as per the complaint given by Tr.X.Roisten Gagu and Tr.R.Devadas Thomas Thavaraj. Moreover both the complaints relate to the cognizable offence the AO-1 and AO-2 demanded illegal gratification to do their official act in favour of the complainant.

It is very clear that the truth and genuineness of the complaint cannot be considered during the receipt of complaint. If cognizable offences made out case has to be registered and concluded in accordance with law.

The Accused Officers -1 & 2 who are being a public servant knowingly disobey the direction of the law regulating the manner in which they shall conduct such investigation. They are illegally resist to register the FIR for the cognizable offence.



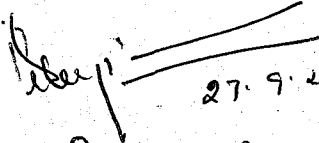
The Accused Officer No.2 in collusion with the A.O.1 Tr.R.Suresh Kumar had not registered the case for the best reason within their exclusive knowledge which can be termed as vested interest. The accused officers 1 and 2 have failed to follow the statutory provisions in registering the criminal cases.

With regard to the demand of commission by A.O.1 along with A.O.2 the oral statement of Tr.J.Chenthil Rajan and Tr.S.Jagatheesan, Tr.P.Gopalakrishnan and Tr.A.Abdul Rahman stating that on 29.05.2020 at 04.30 PM at Eral Police Station A.O.1 demanded commission in the presence of A.O.2 towards the quantum of settlement to be arrived between Tr.S.Jagatheesan and Tr.Vaikundarajan. The AO-1 is a public servant demand at illegal gratification to exercise his official function. The AO-1 and AO-2 done the above said criminal act in furtherance of the common intention.

Therefore, today (27.09.2022) at 13.00 hrs I registered a case in Thoothukudi Detachment, Vigilance and Anti-Corruption, Crime No. 07/2022, against Tr.R.Suresh Kumar, the then Deputy Superintendent of Police, Srivaikundam Sub-Division, Thoothukudi District now working at District Crime Branch, Tirunelveli District and Tr.P.Pattani, the then Circle Inspector of Police, Eral and Sawyerpuram Police Stations, Thoothukudi District now working at Nazareth Police Station, Thoothukudi District u/s 120-B, 166-A, 34 of IPC and 7 of the Prevention of Corruption Act, 1988, as Amended by Act 2018.



The original FIR is submitted to the Honourable Court of the Chief Judicial Magistrate cum Special Judge, Thoothukudi and I am sending a copy of FIR to Tr.E.Mcclarine Eskhol, Additional Superintendent of Police, Vigilance and Anti-Corruption, Tirunelveli Detachment for taking up investigation and copies of the FIR are sent to the officers concerned.

  
27.9.2022

S. PETER PAUL DURAI.  
DY. Suptd. of Police,  
V.R. AR., Kanyakumari  
detachment @ Nagercoil