

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

8081680

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- District : **Viluppuram** PS: **V & AC** Year: **2022** FIR No: **7/2022** Date: **26.10.2022**
மாவட்டம்: காவல்நிலையம் ஆண்டு: மு.த.அ. எண் நாள்
- (i) Act சட்டம்: **The Prevention of Corruption Act 1988** Sections பிரிவுகள்: **13(2) r/w 13(1)(c)**
(ii) Act சட்டம்: **The Prevention of Corruption (Amendment) Act 2018** Sections பிரிவுகள்: **13(2) r/w 13(1)(a)**
(iii) Act சட்டம்: **Indian Penal Code** Sections பிரிவுகள்: **409**
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் :
- (a) Occurrence of Offence Day : Date from: **01.04.2018** Date to : **30.09.2019**
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 : **26.10.2022** Time **1700 hrs**
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் நேரம்
(c) General Diary Reference : Entry No(s) Time :
பொது நாட்குறிப்பில் பதிவு விவரம் எண் நேரம்
Type of Information : **Written**
தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக
- Place of Occurrence (a) Direction and Distance from PS: **2 KM South**
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும்
Beat Number : (b) Address : **District Cooperative Milk Producers' Union, Viluppuram**
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
- Complainant /Informant (a) Name : **S.Thiruvangadam** (b) Father's/ Husband's Name : **K.Sundarapandian**
குற்றமுறையிட்டாளர்/ தகவல் தந்தவர் பெயர் தந்தை / கணவர் பெயர்
(c) Date / Year of Birth : (d) Nationality : (e) Passport No. :
நாள் / பிறந்த ஆண்டு நாட்டினம் வெளிநாட்டு கடவுச்சீட்டு எண்
Date of Issue : Place of Issue :
வழங்கப்பட்ட நாள் வழங்கப்பட்ட இடம்
(f) Occupation : (g) Address : **V & AC, Cuddalore**
தொழில் முகவரி
Inspector of Police
- Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary)
தெரிந்த / ஐயப்பாட்டிற்குரிய / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள்
(தேவையெனில் தனித்தாள் இணைக்கவும்)
1.Dr.K.K.Vasanthakumar, S/o Karuppannan, Formerly General Manager, Viluppuram District Milk Producers Cooperative Union, Viluppuram
2. S. Iyengaran, S/o. P.Sivalingam, Marketing Manager, Viluppuram District Milk Producers Cooperative Union, Viluppuram
- Reasons for delay in reporting by the complainant / Informant:
குற்றமுறையிட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்

9. Particulars of properties stolen / involved (Attach separate sheet if necessary)
களவாடப்பட்ட / களவிற்குள்ளான சொத்துக்களின் விவரம் (தேவையெனில் தனித் தாளில் இணைக்கவும்)
10. Total value of properties stolen / involved :
களவாடப்பட்ட / 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)

Submitted:

Based upon allegations that there were irregularities and embezzlement of public funds handled by A-1, A-2 in the Viluppuram District Unit of Tamilnadu Cooperative Milk Producers' Federation a preliminary enquiry in PE 35/2020/ AAVIN/VPM was conducted and the enquiry revealed the facts which are given hereunder succinctly:-

(1) Dr. K.K.Vasanthakumar (A-1) was the General Manager of Viluppuram District Cooperative Milk Producers' Union at the relevant period of occurrence; and

(2) Mr. S. Iyengaran (A-2) was the Marketing Manager of the

(Continued ...3)


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.

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

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

Name: பெயர்
Rank: நிலை No. எண்
S. S. HIRUVANCIYAN,
Inspector of Police,
U. P. AC, Cuddalore.

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Viluppuram District Cooperative Milk Producers' Union at the relevant period of occurrence, and hence both of them were public servants within the meaning of section 2(c) of The Prevention of Corruption Act, 1988 and Section 2(c) of The Prevention of Corruption Act, 1988 as amended by Act 16 of 2018.

A-1 and A-2 are the authorities who are competent to accord approval for agencies to start "retail sale of Aavin Milk & Milk products". The individuals /agencies interested in sale of Aavin Milk Products have to submit an application requesting permission for retail sales to A-1 and A-2. After scrutiny of documents, A-1 and A-2 will grant permission to agencies for retail sale of Aavin Products after signing an agreement.

During 2017, A-1 and A-2 have taken agency for the retail sale of Aavin milk products in the name of Manamagizh Mandram. A-1 was the President and A-2 was the Vice President of Manamagizh Mandram. Both the A-1 and A-2 competent to accord permission for retail sales of Aavin products have taken agency in the name of Manamagizh Mandram (Agency No.7681) and opened an Aavin Parlour in the entrance of District Cooperative Milk Producers' Union, Viluppuram and appointed one Mrs. M.Punitha as saleswoman.

As per the byelaws of District Cooperative Milk Producers' Union, A-1 and A-2 have to sell the Aavin products to agencies only on payment of cash. However, A-1, A-2 have violated the said byelaw and permitted credit sale of products to many agencies. They have also sold Aavin products to Manamagizh Mandram on credit basis against cash and carry system.

Preliminary Enquiry also reveals that A-1 and A-2 have not credited the sale appreciation of Aavin products in to the respective Aavin accounts maintained at Axis Bank, Viluppuram. Instead A-1 and A-2 have instructed the saleswoman to show reduced margin in the daily sales of the said parlour and collected the sales amount from the parlour for their own use.

Thus between 13.09.2018 and 16.06.2019, A-1 has received a sum of Rs.5,70,900/- as cash from the sale proceeds of the parlour in various occasions. The saleswoman has also deposited Rs.95,000/- and Rs.85,000/-


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in two different occasions in to the bank account as directed by A-1. A-1 has also directed the saleswoman to give products to his relatives on free of cost.

A-2 who is responsible for the supply of Aavin products to agencies and receipt of sales proceeds from agencies permitted credit sales to many agencies including this parlour. Instead of collecting the sale proceeds from the parlour, he too converted the sale proceeds from the said parlour to his own use.

A-1 and A-2 both have abused their official position by permitting credit sales to agencies including Manamagizh Mandram and did not collect the sale proceeds on time and caused loss to District Cooperative Milk Producers' Union. A-1, A-2 as President / Vice President of Manamagizh Mandram have diverted the sale proceeds of said parlour to their own use from 01.04.2018 to 30.09.2019 by showing reduced margin in the said parlour. This was raised by the internal audit during 2019.

A-1 and A-2 have remitted the sale proceeds of Aavin parlour (Agency No.7681) only after the audit objection i.e. from 09.04.2020 to 23.09.2020 on 4 occasions. Thus A-1 and A-2 deposited Rs.15,97,115.30 in to the accounts of District Cooperative Milk Producers' Union after a lapse of 1 to 2 years.

In the aforesaid manner, it is verified that both A-1 and A-2 have committed an offence of criminal breach of trust by receiving the sale proceeds from the sales woman but failed to deposit in the Aavin Milk Parlour's account. But later deposited an amount of Rs.15,97,115.30 after a delay of 1 to 2 years after the objection raised by the internal audit.

Thus A-1 and A-2 who are responsible to allot the milk and milk products only on cash and carry basis have failed in their duty and allotted the products on credit basis to the said outlet. Further A-1 and A-2 after collecting the sale proceeds from 01.04.2018 to 30.09.2019 have failed to deposit the sale amount to the official Aavin milk account properly from the said retail outlet, but paid Rs.15,97,115.30 only in the year 2020.


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(Continued Viluppuram V & AC detachment Cr.No.7/2022, page -5)

The Competent authority, (Tamilnadu Co-Operative Milk Producers' Federation Limited, Nandaman, Chennai) has accorded prior permission to register a regular case against A-1 Dr.K.K.Vasanthakumar and A-2 S.Iyengaran in Ref. No.4622/Pers.IR.2/2020, dated 22.06.2022.

From the aforesaid acts, it is brought the light that A-1 & A-2 have misappropriated the sale proceeds of Manamagizh Mandram committed the offence of criminal misappropriation by public servants.

Therefore, today 26.10.2022 at 1800 hours, I registered a case in Viluppuram Vigilance and Anti-Corruption Detachment in Cr.No.7/2022, u/s 409 of IPC and 13(2) r/w 13(1)(c) of the Prevention of Corruption Act 1988 and 13(2) r/w 13(1)(a) of The Prevention of Corruption Act 1988 as amended by Act 16 of 2018 against A-1 Dr.K.K.Vasanthakumar and A-2 S.Iyengaran.

The original First Information Report is submitted to the Honourable Court of Special Judge, Prevention of Corruption Act cases, Viluppuram and a copy of the First Information Report is sent to the Superintendent of Police, Northern Range, Vigilance and Anti-Corruption, Chennai – 600 016.


26/10/22
S. THIRUVANATHAM,
Inspector of Police,
V & AC, Cuddalore.