

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 8097148

10/AC/2018

1. District : **Namakkal** PS: **VAC** Year: **2018** FIR No.: **10/AC/2018** Date: **22.05.2018**
மாவட்டம் **Namakkal** காவல்நிலையம் **VAC** ஆண்டு **2018** மு.த.அ. எண் **10/AC/2018** நாள் **22.05.2018**

2. (i) Act சட்டம்: **IPC** Sections பிரிவுகள்: **120-B, 406, 477-A IPC**

(ii) Act சட்டம்: **Prevention of Corruption Act 1988** Sections பிரிவுகள்: **13(2) r/w 13(1)(c)**

(iii) Act சட்டம்: Sections பிரிவுகள்:

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

3. (a) Occurrence of Offence Day : Date from : **01.04.2015** Date to : **19.03.2017**
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 : **22.05.2018** Time : **11.00 Hrs.**
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் நேரம்

(c) General Diary Reference : Entry No(s) Time :
பொது நாட்குறிப்பில் பதிவு விவரம் எண் **Vol. II.** நேரம் **11.00 Hrs.**
22.5.2018

4. Type of Information : Written/ Oral :
தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக **Through collection of information**

5. Place of Occurrence (a) Direction and Distance from PS:
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும் **About 3.Km. East**

Beat Number : (b) Address : **Anna Maruthagom, S.607, Agricultural Producers Co-operative Marketing Society Ltd., Bus stand, Namakkal**
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. Nallamma** (b) Father's/ Husband's Name : **K. Muthusamy**
குற்றமுறையிட்டாளர்/ தகவல் தந்தவர் பெயர் தந்தை / கணவர் பெயர்

(c) Date / Year of Birth : **21.05.1979** (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 : (g) Address : **Vigilance and Anti Corruption, Namakkal Detachment.**
தொழில் **Inspector of Police** 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)

Separate sheet enclosed.

8. Reasons for delay in reporting by the complainant / Informant:
குற்றமுறையிட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்

Information collected through secret sources and registered.

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)

Submitted :

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 * A. T. Jankumaran Rank Dy. Supt. of Police 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.

முதலி. 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

22.05.2018 at 12.00 Hrs.

Name: பெயர்
Rank: நிலை No. எண்

Inspector of Police,
V + AC, Ninnakkal.

Continuation of FIR for SI.No.12 in Namakkal V&AC., Cr.No.10/AC/2018 u/s 120-B, 406, 477-A IPC and sec. 13(2) r/w 13(1) (c) of the Prevention of Corruption Act 1988.

Accused Officers

01. Tr.S.Kunasekaran (56),
S/o Sellappa Gounder,
Secretary, S.607, Agricultural
Producers Co-operative Marketing
Society Ltd., Namakkal.
02. Tr.S.Duraisamy (47),
S/o.Subramaniam,
Sales Man,
'Amma Marundhagam'
S.607, Agricultural Producers
Co-operative Marketing Society
Ltd., Namakkal.

The 1st accused
Tr.S.Kunasekaran is working as
Secretary, S.607, Agriculture
Producers Co-operative Marketing
Society Ltd., Namakkal from
02.02.2015. "Amma Marundhagam",
Namakkal is functioning in Namakkal
Bus Stand under the direct control of
A-1. He is assisted by A-2 Salesman

holding full charge of "Amma Marundhagam". In addition to, he is assisted by one Pharmacist and 5 Assistant Pharmacists.

The 2nd accused Tr.S.Duraisamy was working as Salesman between 20.12.2014 and 20.04.2017 at 'Amma Marundhagam'. He is holding full charge of "Amma Marundhagam" and responsible for preparing estimate for the expenses and he should present completion report to A-1. Both accused are public servants as defined u/s 2(c) of the Prevention of Corruption Act 1988 during the commission of offence.

About "Amma Marundhagam" Scheme:

The Hon'ble Chief Minister of Tamilnadu had announced opening of 100 Amma Marundhagam in the year 2014-2015 budget all over Tamilnadu under Co-operatives along with the existing 210 Medical Shops run by them. The main object of the Amma Marundhagam is to provide citizens medicines **with 15% discount** on market price. Accordingly 'Amma Marundhagam' at Namakkal bus stand was opened and it is functioning from 20.12.2014 under S.607, Namakkal Agriculture Producers Co-operative Marketing Society Ltd.,

Further the Government of Tamilnadu in G.O.(D) No.7, dated:06.01.2015 ordered, interest free working capital assistance of Rs.20.00 crore under "Price Stabilization Fund" for opening of 100 new Amma Marundhagam and to revamp the existing 210 Medical shops run by the Co-operatives. The interest free working capital assistance of Rs.10 lakhs was released to the Namakkal Agricultural Co-operative Marketing Society Ltd., for Amma Marundhagam situated at Namakkal Bus Stand.

The Deputy Registrar cum Managing Director of No.607 Namakkal Agriculture Producers Co-operative Marketing Society Ltd., in his letter C.No.7/2005/P.R., dated:15.04.2015 had fixed duties and responsibilities to A-1 Tr.S.Kunasekaran, the Secretary of the Society with regard to 'Amma Marundhagam'. According to it, as per the demand of the customers at Marundhagam, getting the medicine purchase list and verify the list then get approval from Deputy Registrar / Managing Director then sending it the Medicine company/agent, Monitoring the expired medicines not in the shop, maintaining all the records as per the circular of Co-operative Registrar in C.No.45382/2313/c.c.4, dated:13.09.2013, avoiding the sale of unlisted medicines and checking the stock of medicine once in two days, verifying the statistical reports in the medical shop are correct one, ensuring the agreement with Medical companies regarding return the medicines which are going to expire in following 3 months and get back fresh medicines for that, issuing of cheques for purchased medicines, Cash Discount,, quantity Discount / Offer, taking proper steps for Centralized Purchase of medicines and ensuring liabilities of the employees at Marundhagam are some of the main responsibilities of A-1.

Similarly, it is the duty of A-2 Tr.S.Duraisamy to ensure that the medicines are listed properly in the computer and sold properly, check the sales amount with the medicines sold and remit daily sales amount at head office and get receipt, hand over the Sales List and Purchase list daily at concerned section in the head office, send the statistics called by the Society office, maintain all the Liabilities at Marundhagam correctly, properly and duly compare with head office register and supervise properties in the Marundhagam not to be stolen or damaged.

According to the Medicines moving trend, demand of the customers and stock availability, the Salesman of the Marundhagam should prepare the purchase list with company names with the assistance of Pharmacist. Then it should be submitted before the Secretary of the Co-operative Society through the section who in turn analyzes the stock list and medicines purchase list and finalize the list and submit the same before the Managing Director / Deputy Registrar of the Society for approval. After getting approval, the Secretary will place the purchase order with the appropriate companies.

The medical companies will deliver the medicines to the Marundhagam and send the bill to the Salesman of the Marundhagam who will make physical verification of medicines with the assistance of staff in the shop and upload the purchase details in the 'Point of Sales Software' which is the common software used in the Co-operative Medical Shops all over TamilNadu. The said computer system is linked with the Head Office of the Society. After entering the details in the computer, the medicines stock list automatically will be updated. Once the details are uploaded, the purchase bill with the uploaded list is submitted before the Liability section of the Society to ensure the completion of purchase. The Secretary will check the bill in the stock list through the 'Point of Sales Software' and certify the bill and submit it before the Managing Director / Deputy Registrar for issuing cheques to the companies concerned.

The following information was gathered during the collection of sources against both accused.

During the period between 01.04.2015 and 19.03.2017, A-2 S.Duraisamy, Salesman with the intentional aid of A-1 Tr.S.Kunasekaran, Secretary to the said Society reduced the stock of medicine of 'Amma Marundhagam' Namakkal, Bus stand to the tune of Rs.9,04,213/-. A-1 has not maintained the check register properly to ensure the purchase, sales and stock. Hence, the reduction of stock of medicine was arrived at as detailed below.

Liability for the financial year from 01.04.2015 to 31.03.2016

Opening balance as on 01.04.2015	: Rs.	16,61,750.06	----- (1)
Purchased Medicine for the period from 01.04.2015 to 31.03.2016	: Rs.	1,73,63,801.50	----- (2)

Total Medicine	: Rs.	1,90,25,551.56	----- (3) = (1)+(2)
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Total Sales made between 01.04.2015 and 31.03.2016	: Rs.	1,69,35,414.25	----- (4)
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Closing balance to be as on 31.03.2016	: Rs.	20,90,137.31	----- (5) = (3)-(4)
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Available as on 31.03.2016	:	Not accounted
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Liability for the period from 01.04.2016 to 19.03.2016

Opening balance as on 01.04.2016	: Rs.	20,90,137.31	----- (6) = (5)
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Purchased Medicine for the period from 01.04.2016 to 19.03.2017	: Rs.	1,27,15,189.69	----- (7)
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Total Medicine	: Rs.	1,48,05,327.00	----- (8) = (6)+(7)
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Total Sales made between 01.04.2016 and 19.03.2017	: Rs.	1,16,80,343.27	----- (9)
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Purchase Return	: Rs.	1,63,439.19	----- (10)
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Closing balance to be as on	: Rs.	29,61,544.54	----- (11) = (8)-{(9)+(10)}
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But available as on 19.03.2017	: Rs.	19,97,331.54	----- (12)
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Shortage	: Rs.	9,64,213.00	----- (13) = (11)-(12)
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Therefore, accused No.1 and 2 reduced the stock of medicines of 'Amma Marundhagam', Namakkal Bus Stand to the tune of Rs.9,64,213/-. Similarly, it is gathered that A-1 reduced the stock of crackers to the tune of Rs.42,629/- during the year 2015-16 in the said society. Hence, the information discloses that A-1 S.Kunasekaran and A-2 Tr.S.Duraisamy hatched a criminal conspiracy and

dishonestly misappropriated a total sum of Rs.9,64,213/- by way of reducing the stock of medicine and falsifying the accounts of Amma Marunthagam. Thereby, the accused No.1 and 2 being the public servants have committed the offences of Criminal Conspiracy, Falsification of Accounts and Criminal Misconduct by dishonest misappropriation of medicine entrusted to them.

The above information clearly makes out a prima facie case against both accused u/s 120-B, 406, 477-A IPC and sec. 13(2) r/w 13(1) (c) of the Prevention of Corruption Act 1988. Hence, I registered a case in Namakkal V&AC., Cr.No.10/AC/2018 under above sections against A-1 & A-2 noted in the margin and further investigation of this case was entrusted to Tr.A.T.Jaikumar, Deputy Superintendent of Police, Vigilance and Anti-Corruption, Namakkal as per the orders of the Director of Vigilance and Anti-Corruption, Chennai. The original F.I.R. was sent to the Hon'ble court of Special Judge/Chief Judicial Magistrate, Namakkal and copies were sent to the officers concerned.


(M.Nallammal) 22/5/2018

Inspector of Police,
Vigilance and Anti-Corruption,
Namakkal.

