

FIRST INFORMATION REPORT

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

TAMIL NADU POLICE
INTEGRATED INVESTIGATION FORM-I

C 8051543

- District : *Madurai* PS: *N & AC* Year: *2021* FIR No: *13/2021* Date: *4.10.2021*
மாவட்டம் காவல்நிலையம் ஆண்டு மு.த.அ. எண் நாள்
- (i) Act சட்டம்: *Prevention of Corruption* Sections பிரிவுகள்: *13(2) & 13(1)(e) of*
(ii) Act சட்டம்: *Act, 1988* Sections பிரிவுகள்: *PC Act 1988 and*
(iii) Act சட்டம்: Sections பிரிவுகள்: *13(2) & 13(1)(b) of*
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் : *PC Act 1988 as amended by the P.C. Amendment Act 2018.*
- (a) Occurrence of Offence Day : Date from : *16.06.2017* Date to : *22.12.2020*
குற்ற நிகழ்வு நாள் நாள் முதல் நாள் வரை
Time Period : Time from : நேரம் முதல் நேரம் வரை
நேர அளவு நேரம் முதல் நேரம் வரை
(b) Information Received at PS. Date : *04.10.2021* Time : *15.00 hrs.*
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் நேரம்
(c) General Diary Reference : Entry No(s) 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:
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும்
Beat Number : (b) Address :
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 : *A. KANNAN* (b) Father's/ Husband's Name : *N. ALAGARASAMY*
குற்றமுறையீட்டாளர்/ தகவல் தந்தவர் பெயர் தந்தை / கணவர் பெயர்
(c) Date / Year of Birth : *13.02.1975* (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 : *Inspector of Police* (g) Address : *Vigilance & Anti Corruption, Madurai.*
தொழில் முகவரி
- Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary)
தெரிந்த / ஐயப்பாட்டிற்குரிய / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள்
(தேவையெனில் தனித்தான் இணைக்கவும்) *P. Seetharaman, age 52/2021, S/o (Late) Periya Karuppa Thevar, Formerly Special Public Prosecutor (Bail), Essential Commodities & Narcotics Drugs and Psychotropic Substances Act Court, Madurai.*
- Reasons for delay in reporting by the complainant / Informant : *Psychotropic Substances Act Court, Madurai.*
குற்றமுறையீட்டாளரால் / 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)

Separate Printed sheets in page
Nos. 3 to 8 are enclosed herewith

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 Inspector 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 கையொப்பம் /
பெருவிரல் இரேகைப் பதிவு

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

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

Name: பெயர் A. KANNAN
Rank: நிலை Inspector No. எண்
of Police, VARAR,
Madurai.

04.10.2021 at 16.30 hrs.

Honoured Madam, Submitted;

Accused

Tr.P.Seetharaman, age 52/2021,
S/o. (Late) PeriyaKaruppaThevar,
Formerly Special Public Prosecutor
(Bail), Essential Commodities &
Narcotics Drugs and Psychotropic
Substances Act Court,
Madurai.

The accused Tr.P.Seetharaman,
who was working as Special Public
Prosecutor (Bail), Essential
Commodities & Narcotics Drugs
and Psychotropic Substances Act
Court, Madurai from 16.06.2017
to 22.12.2020, is a public servant
as defined under clause (c) of
Section 2 of the Prevention of
Corruption Act, 1988.

2. The accused, native of Poosalapuram Village in Peraiyur Taluk of Madurai District has studied upto 9th Standard at Labour Higher Secondary School, Maninagaram, Madurai and got M.A. [Political Science] through Madurai Kamaraj University during the year 1994 and 1997 and thereafter, also got LLB Degree at Islamiah College of Law, Bangalore, during the year 1997 and 2001. He married one S. Dhanapackiam on 07.06.1989 and through her, got daughters viz., P.S.Prabavathy and P.S.Boomika. His wife is a house-wife, having no independent source of income and solely dependent on the income of the Accused. His elder daughter P.S.Prabavathy was given in marriage to one Tr. Manoj Prabakhar on 01.02.2017 and the younger daughter viz. P.S. Boomika, has completed M.Phil (Maths) at Fatima College, Madurai in the year 2019 and she is unmarried.

3. The Accused was appointed by the Government of Tamil Nadu as per G.O.(D) No.731 Home (Cts.VI-A) Department, dated 09.06.2017 and assumed office of Special Public Prosecutor (Bail), Essential Commodities & Narcotics Drugs and Psychotropic Substances Act Court, Madurai, on 16.06.2017 and his appointment was terminated on 22.12.2020.

4. The Hon'ble Madurai Bench of Madras High Court, has given direction on the petition filed by Tr. B. Pandiarajan in W.P.(MD) No.19480/2020 dated 22.12.2020, to conduct enquiry against the accused into the allegation of amassing of wealth by using his position as public servant.

Their Lordships have observed in Para.10 of its Judgment,

"It is alleged that the third Respondent (Accused) has amassed wealth by using his position as a Special Public Prosecutor by indulging in malpractices and corrupt acts and letting off the accused in NDPS Act."

5. Accordingly, the enquiry was contemplated by the officer of Vigilance and Anti-Corruption, Madurai, after getting the orders from the Director, Vigilance and Anti-Corruption, Chennai, into the allegation of acquisition and possession of movable properties by the accused in his name and in the name of his family members. The outcome of enquiry

after due verification and process would reveal the fact that he enriched himself unlawfully by acquiring properties and pecuniary resources in the form of investments in Banks and purchasing of gold ornaments. As the Enquiry disclosed the acquisition and possession of movable properties and pecuniary resources, which are suspected to be disproportionate to his known sources of income and on considering the events, which took place during the course of his holding the post of Special Public Prosecutor and by taking into account of the transactions of the movable properties and pecuniary resources, the check period was determined between 16.06.2017 and 22.12.2020.

6. From the inception of office as Special Public Prosecutor (Bail), he was not discharging his duty as appointed for, but indulged his passion for illegal ways by allowing the accused in Essential Commodities & Narcotics Drugs and Psychotropic Substances Act Court cases to go on statutory bail, upon receipt of huge amount from the said accused by not filing Final Report before the concerned Court within the statutory period of 180 days and also lead a life of indulgence by abusing his position as Special Public Prosecutor. The honesty and integrity of the accused as Special Public Prosecutor has been continuously deteriorated.

7. The value of assets by purchasing and making investments in Banks and the transactions to make investments were found in the name of himself and in the name of his wife and daughters. The accused is thus, found to have acquired and invested in Banks to the extent of Rs.77,19,263.23.

8. The probable income of the accused derived from his known sources by way of getting Retainer Fee and Standing Counsel Fee, interest from Banks, income of hand loan interest, Dairy Income earned by his wife and Rental Income are worked at Rs.28,25,963/-. The expenditure of the Accused, taking into consideration of his family members and their position during the check period are assessed as Rs.21,82,034/-. The disproportionate asset at the end of the check period is worked at as follows:

I	Assets that stood in the name of himself and his family members at the beginning of the check period as on 16.06.2017.	:	Rs.42,78,644.63
II	Assets that stood in the name of himself and his family members at the end of the check period i.e. 22.12.2020.	:	Rs.77,19,263.23
III	Income derived by accused and his family members during the check period.	:	Rs.28,25,963.00
IV	Expenditure incurred by accused and his family members during the check period.	:	Rs.21,82,034.00
V	Assets acquired during the check period. (Statement.II minus Statement.I)	:	Rs.34,40,618.60
VI	Likely Savings of Accused during the check period. (Statement.III minus Statement.IV)	:	Rs.6,43,929.00
VII	Disproportionate Assets (Statement.V minus Statement.VI)	:	Rs.27,96,689.60

Percentage of Disproportionate Assets is


$$\frac{\text{Rs.27,96,690}}{\text{Rs.28,25,963}} \times 100 = \mathbf{98.96\%}$$

9. Thus, the accused has acquired properties of movable and pecuniary resources and intentionally enriches himself illicitly during the period of his office as Special Public Prosecutor (Bail), Essential Commodities & Narcotics Drugs and Psychotropic Substances Act Court, Madurai, to the extent of **Rs.27,96,690/-** at **98.96%** which are suspected to be disproportionate to his known sources of income and that thereby, the Accused has committed an offence criminal misconduct punishable u/s 13(2) r/w 13(1)(c) of Prevention of Corruption Act, 1988 for period from 16.06.2017 to 25.07.2018 and u/s 13(2) r/w 13(1)(b) of Prevention of Corruption Act, 1988 as amended by the Prevention of Corruption (Amendment) Act, 2018 for period from 26.07.2018 to 22.12.2020.

10. Thus, there are prima facie materials available on records for taking up investigation against the Accused for the offence punishable u/s 13(2) r/w 13(1)(c) of Prevention of Corruption Act, 1988 for period from 16.06.2017 to 25.07.2018 and u/s 13(2) r/w 13(1)(b) of Prevention of Corruption Act, 1988 as amended by the Prevention of Corruption (Amendment) Act, 2018 for period from 26.07.2018 to 22.12.2020.

Therefore, I am registering this case in Cr. No. 13/2021 against the accused Tr. P. Sectharaman, today 04.10.2021 at 15.00 hrs for the above said offence for taking up investigation to collect more materials.

The Original F.I.R. is submitted before the Hon'ble Special Court for Trial of Cases under Prevention of Corruption Act, Madurai and a copy of it is being sent to the Superintendent of Police, Southern Range, Vigilance and Anti - Corruption, Chennai for issuing authorization u/s 17 & 18 of Prevention of Corruption Act 1988 to take up investigation in this case.


(A. KANNAN) ^{inspc/vac}
Inspector of Police, 4/10/2021
Vigilance and Anti-Corruption,
Madurai.