

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

808 1694

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1. District : Kanyakumari PS: V&AC Nagercoil Year: 2022 FIR No.: 1/2022 Date: 11.02.2022
மாவட்டம் காவல்துறையம் ஆண்டு முதல் ஆ. எண் நாள்
2. (i) Act சட்டம்: The PC Act 1988(amended by 2018) Sections பிரிவுகள்: 13(2)r/w13(1)(e) of PC Act 1988
(ii) Act சட்டம்: Sections பிரிவுகள்: 13(2)r/w13(1)(b) of PC Act
(iii) Act சட்டம்: Sections பிரிவுகள்: 1988(as amended by Act 2018
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் : 120-B I.P.C
3. (a) Occurrence of Offence Day : Date from : Date to :
குற்ற நிகழ்வு நாள் நாள் முதல் நாள் வரை
Time Period : Time from : 01.07.2017 Time to : 31.07.2021
நேர அளவு நேரம் முதல் நேரம் வரை
(b) Information Received at PS. Date : Time :
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் 11.02.2022 நேரம் 15.00 hrs
(c) General Diary Reference : Entry No(s) Time :
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:
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும்
Beat Number : (b) Address : Kanyakumari District and other
முறைக் காவல் எண் முகவரி places
(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.John Benchamin (b) Father's/ Husband's Name : Tr.Swaminathan
குற்றமுறையிட்டாளர்/ தகவல் தந்தவர் பெயர் தந்தை / கணவர் பெயர்
(c) Date / Year of Birth : (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 & Anti-Corruption,
தொழில் Inspector of Police முகவரி Kanyakumari Detachment
Police @ Nagercoil.
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) Tmt.C.Kanmani, Inspector of Police, AWPS, Nagercoil, Formerly Inspector of Police, Special Branch, Kanyakumari District. (2) Tr.A.Xavier Pandian, Assistant Director of Prosecution, Nagercoil, Kanyakumari District.
8. 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)
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 என் ஏதேனும் இருந்தால்
12. FIR Contents (Attach separate sheet, if required) :
முதல் தகவல் அறிக்கையின் சுருக்கம். (தேவையெனில் தனித்தாளில் இணைக்கவும்)

Accused:

1)Tmt.C.Kanmani,
Inspector of Police,
AWPS, Nagercoil.
Formerly Inspector of
Police,
Special Branch,
Kanyakumari District.
2).Tr.A.Xavier
Pandian,
Assistant Director of
Prosecution,
Nagercoil,
Kanyakumari District.

Submitted :- I, S. John Benchamin, Inspector of Police, Vigilance and Anti-Corruption, kanyakumari Detachment @ Nagercoil while on duty on today (11.02.2022) at 15.00 hrs have received instruction in official Memorandum VR.No.35804/2021/POL/KK dated 09.02.2022 of along with some confidential particulars of the Director, Vigilance and Anti-Corruption, Chennai-16 and accordingly registered a case in Nagercoil V & AC Cr.No.1/2022 u/s. 13(2) r/w 13(1)(e) of the PC Act 1988 and 13(2) r/w 13(1)(b) of the PC Act 1988 (as amended by Act 2018) r/w

120-B IPC. The marginally noted Accused Officers A.O.1 Tmt.C.Kanmani working as Inspector of Police, AWPS, Nagercoil, Formerly Inspector of Police, Special Branch, Kanyakumari District. A.O.2 Tr.A.Xavier Pandian working as Assistant Director of Prosecution, Nagercoil, Kanyakumari

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.

முதலில் 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

S. John Benchamin 11/2/2022
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 S. John Benchamin
Rank: நிலை Inspector

(Continuation in Nagercoil V&AC Cr.No.1/2022):-

District, from 01.01.2017 to till date. As such A.O.1 and A.O.2 are public servants as defined u/s 2(c) of the Prevention of Corruption Act, 1988.

Collection of sources discloses that the native place of A.O.1 was Radhapuram Taluk, Tirunelveli District and the native place of A.O.2 is Tenkasi District formerly Tirunelveli District. Both A.O.1 and A.O.2 are hailing from middle class family. A.O.1 had started her career as Women Police Constable, All Women Police Station, Thenkasi. Subsequently in the year 2004, A.O.1 had been recruited as Women Sub-Inspector of Police under 20% Quota in Tamil Nadu Police Department. Thereafter, after serving in various police stations of Kanyakumari District, she was promoted as Inspector of Police, All Women Police Station, Nagercoil in Kanyakumari District in the year 2017. Then she was posted as Special Branch Inspector of Police at Nagercoil in Kanyakumari District from July 2017 to June 2021.

A.O.2 Tr.A.Xavier Pandian was practicing as an Advocate in Thenkasi, Bar, Tirunelveli District presently Thenkasi District. A.O.2 Tr.A.Xavier Pandian while practising as an Advocate he got selected as Assistant Public Prosecutor Grade-II in the year 2004. The A.O.1 and A.O.2 got married in 2004. Thereafter he served in various places in Kanyakumari District and finally promoted as Assistant Director of Prosecution, Kanyakumari District at Nagercoil in the year 2017 and working continuously in the same station. Tmt.Kamalam, the mother of A.O.1 is residing with A.O.1 and A.O.2.

A.O.1 Tmt.C.Kanmani and A.O.2 Tr.A.Xavier Pandian are now residing at Door No.393/50, E-3, Balasubramania Veethi, Keezha Ramanputhoor, Nagercoil in Kanyakumari District.

Collection of information discloses that A.O.1 Tmt.C.Kanmani and A.O.2 Tr.A.Xavier Pandian never inherited any ancestral immovable and movable properties of their own. Further it is disclosed, that they don't have any sources of income except the salary wherein they are working.

The sources collected discloses that A.O.1 Tmt.C.Kanmani and A.O.2 Tr.A.Xavier Pandian intentionally have enriched themselves movable and immovable properties against their known sources of income illicitly in their names and in the name of A.O.1's mother during the period of their office as Inspector of Police and Assistant Director of Prosecution from 01.01.2017 to 31.07.2021. As such the tentative check period was fixed as 01.01.2017 to 31.07.2021 and during that period

A.O.1 Tmt.C.Kanmani and A.O.2 Tr.A.Xavier Pandian were found in possession of assets as detailed below in their name and in the name of A.O.1's mother Tmt.Kamalam through Bank balance, Jewels and moveable and other immovable and as house hold articles such as Air-conditioner, TV and other electronic materials.

Assets found in the name of A.O.1 Tmt.C.Kanmani, A.O.2 Tr.A.Xavier Pandian through bank balance and other house hold articles such as Air-conditioner, TV., and other electronic materials approximately at the commencement of check period as on 01.01.2017. Rs.5,90,336.00

Assets found in the name of A.O.1 Tmt.C.Kanmani, A.O.2 Tr.A.Xavier Pandian and A.O.1's mother Tmt.Kamalam by way of movable such as gold jewels and gold coins approximately 200 sovereigns, bank balances, fixed deposits, SBI mutual funds, house hold articles, CCTV Camera and Four wheeler Hyundai Creta Vehicle No.TN-74-AV-2424 etc., at the end of the check period as on 31.07.2021. Rs.1,80,42,481.00.

Income of A.O.1 Tmt.C.Kanmani and A.O.2 Tr.A.Xavier Pandian from 01.01.2017 to 31.07.2021 from the known sources of income from monthly salary and interest accrued thereon during the check period. Rs.69,38,800.00

Expenditure incurred by A.O.1 Tmt.C.Kanmani and A.O.2 Tr.A.Xavier Pandian during the check period between 01.07.2017 to 31.07.2021. Rs.8,75,409.00

Value of assets acquired by A.O.1 Tmt.C.Kanmani and A.O.2 Tr.A.Xavier Pandian during the check period between 01.07.2017 to 31.07.2021. Rs.1,74,52,145.00

Likely savings of A.O.1 Tmt.C.Kanmani and A.O.2 Tr.A.Xavier Pandian during the check period 01.07.2017 to 31.07.2021. Rs.60,63,391.00

Disproportionate Assets acquired by A.O.1 Tmt.C.Kanmani and A.O.2 Tr.A.Xavier Pandian during the check period 01.07.2017 to 31.07.2021. Rs.1,13,88,754.00

A calculation of the Income of A.O.1 and A.O.2 and in the name A.O.1's mother during the check period from 01.01.2017 to 31.07.2021 is Rs.69,38,800/-. The expenditure of the AOs during the check period is Rs.8,75,409/-.

The likely savings of A.O.1 and A.O.2 are approximately Rs.60,63,391/-. Thus, the A.O.1 and A.O.2 have acquired assets by abusing their official position by corrupt and illegal means, which are disproportionate to their known sources of income to the tune of Rs.1,13,88,754/- (One Crore Thirteen Lakhs Eighty Eight thousand Seven hundred and Fifty Four only) as on 31.07.2021.

The above said available information discloses prima facie case against A.O.1 Tmt.C.Kanmani and A.O.2 Tr.A.Xavier Pandian that they are in possession of pecuniary resources and properties to a tune of Rs.1,13,88,754/- during the check period from 01.07.2017 to 31.07.2021, which is disproportionate to their known sources of income. Thereby A.O.1 Tmt.C.Kanmani and A.O.2 Tr.A.Xavier Pandian have committed the offences of Criminal Misconduct by intentionally enriching themselves illicitly during the above check period by abusing their official position.

Therefore today 11.02.2022 at 15.00 hrs I, register a case in Kanyakumari Detachment at Nagercoil V&AC Crime No.1/2022 against A.O.1 Tmt.C.Kanmani and A.O.2 Tr.A.Xavier Pandian for commission of offences under section 13(2) r/w 13(1)(e) of PC Act 1988 for the period from 01.07.2017 to 25.07.2018 and 13(2) r/w 13 (1)(b) of Prevention of Corruption Act, 1988 as Amended by Act 2018 r/w 120-B IPC for the period between 26.07.2018 and 31.07.2021.

The original FIR is submitted to the Hon'ble Court of the Chief Judicial Magistrate-cum-Special Judge for Trial cases under Prevention of Corruption Act, Kanyakumari District at Nagercoil and a copy of FIR is sent to the Superintendent of Police, Vigilance and Anti-Corruption, Southern Range for the issuance of authorization under Section 17 of the Prevention of Corruption Act, 1988 and to investigate the case, authorization under Section 18 of the above said Act, to inspect Banker's Books in relation to the accounts of the accused A.O.1 Tmt.C.Kanmani and

A.O.2 Tr.A.Xavier Pandian. The copies are being forwarded to the officers concerned and one copy to Tr.S.Peter Paul Durai, Deputy Superintendent of Police, Vigilance and Anti-Corruption, Kanyakumari Detachment @ Nagercoil for conducting further investigation.

S. John Benchamin 11/2/2022
(S.JOHN BENCHAMIN)
Inspector of Police,
Vigilance and Anti-Corruption,
Kanyakumari Detachment,
@ Nagercoil.