

FIRST INFORMATION REPORT

TAMIL NADU POLICE
INTEGRATED INVESTIGATION FORM-Iமுதல் தகவல் அறிக்கை
(Under Section 154 Cr.P.C.)
(கு.ந.வி.தொ.பிரிவு 154 இன் கீழ்)

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1. District : Kanyakumari PS: V&AC Year: 2022 FIR No.02/2022 Date: 09.03.2022
மாவட்டம் காவல்நிலையம் Nagercoil ஆண்டு முத.அ. எண் நாள்
2. (i) Act சட்டம்: The Prevention of Corruption Act 1988 Sections பிரிவுகள்: 13(2) r/w 13(1)(c) of PC Act
(ii) Act சட்டம்: Sections பிரிவுகள்: 1988 & 13(2) r/w 13(1)(a) of
(iii) Act சட்டம்: IPC Sections பிரிவுகள்: PC Act 1988 (as amended by
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் : Act 16/2018) & 120-B, 167,
409,477-A, 34 of IPC.
3. (a) Occurrence of Offence Day : Date from : 01.11.2017 Date to : 31.10.2018
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 : 09.03.2022 Time : 14.00 hrs
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் நேரம்
(c) General Diary Reference : Entry No(s) 09.03.2022 Time : 14.00 hrs
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 About 38 Kms, South West
Eraviputhanthurai
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
6. Complainant /Informant (a) Name : (b) Father's/ Husband's Name :
குற்றமுறையிட்டாளர் / தகவல் தந்தவர் பெயர் Tmt.C.Sivasankari தந்தை / கணவர் பெயர் Tr.G.Maria Antony
(c) Date / Year of Birth : (d) Nationality : (e) Passport No. :
நாள் / பிறந்த ஆண்டு 30.05.1979 நாட்டினம் Indian வெளிநாட்டு கடவுச்சீட்டு எண்
Date of Issue : Place of Issue :
வழங்கப்பட்ட நாள் வழங்கப்பட்ட இடம்
(f) Occupation Inspector of Police, (g) Address : No.210/1-A, Lourduh Annai Salai,
தொழில் V&AC, Kanyakumari, (முகவரி) Rajakamangalam Road,
Detachment @ Nagercoil. Nagercoil.
7. Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary)
தெரிந்த / ஐயப்பட்டிருக்கிற / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள்
(தேவையெனில் தனித்தான் இணைக்கவும்)
1) Tr.A.Christu Nesakumar, Formerly EE, PWD/Anti- Sea Erosion Division, Kanyakumari District.
2) Tr.S.Arjunan, Formerly AEE, PWD/Anti- Sea Erosion Division, Kanyakumari District.
3) Tr.M.Thanumoorthy, Formerly AE, PWD/Anti- Sea Erosion Division, Kanyakumari District.
4) Tr.C.Ramesh, Contractor (Private Individual)
8. Reasons for delay in reporting by the complainant / Informant:
குற்றமுறையிட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்

Preliminary Enquiry Conducted

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)

Accused:

1) Tr.A.Christu
Nesakumar, Formerly EE,
PWD/Anti- Sea
Erosion Division,
Kanyakumari District.

2) Tr.S.Arjunan,
Formerly AEE, -
PWD/Anti- Sea
Erosion Division,
Kanyakumari District.

3) Tr.M.Thanumoorthy,
Formerly AE,
PWD/Anti- Sea
Erosion Division,
Kanyakumari District.

4) Tr.C.Ramesh,
Contractor
(Private Individual)

Submitted: I C.Sivasankari, Inspector of Police,

Vigilance and Anti-Corruption, Kanyakumari Detachment at Nagercoil while on duty on 09.03.2022, I, received the Memorandum from Directorate of Vigilance and Anti-Corruption, Chennai in PE 95/2018/PWD/KK dated 31.01.2022 along with copy of prior approval of Additional Chief Secretary to Government, Public Works Department, Secretariat, Chennai-9 as per letter No.6454/E-1/2021-1, dt.02.11.2021 under section 17(A) (1) of the Prevention of Corruption Act, 1988 as amended by Act 16/2018, I register the following case against the accused. The factual matrix of the case disclosed through the above mentioned Preliminary Enquiry is narrated as under. The 1st accused

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 / பணிக்கப்பட்டு T.T.Rama, Inspector of Police 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 of the Complainant / Informant
குற்றமுறையீட்டாளர் / தகவல் கொடுப்பவரின் ஒப்பம் /
பெருவிரல் இரேகைப் பதிவு

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

Tmt.C.Sivasankari,
Inspector of Police,

15. Date & Time of despatch to the court: 09.03.2022 at 14.45 hr
நீதிமன்றத்திற்கு அனுப்பப்பட்ட நாள், நேரம்

Name: Tmt.C.Sivasankari
Rank: Inspector of Police, V&AC, Kanyakumari Detachment @ Nagercoil. No. எண்

Continuation of FIR in Kanyakumari V&AC Cr.No.02/2022

Tr.A.Christhu Nesakumar was working as Executive Engineer, PWD, Anti Sea Erosion, Kanyakumari District from 14.08.2015 to 25.07.2019.

The 2nd accused Tr.S.Arjunan, was working as an Assistant Executive Engineer, Kothayar Sub-Project, Implementation Sub-Division, Kuzhithurai, Kanyakumari District from 11.03.2017 to 31.03.2018.

The 3rd accused Tr.Thanumoorthy is working as Assistant Engineer, Public Works Department, Sea Erosion Section-I, Thuckalai, Kanyakumari District from 09.08.2017 to till date.

As such the above accused AO-1 to AO-3 are Public Servants within the definition of Section 2(c) of the Prevention of Corruption Act, 1988.

The 4th accused Tr.C.Ramesh son of Tr.S.Chellan is a Contractor by profession and residing at Kallathivilai, Cheramangalam, Manavalakurichi Post, Kanyakumari District, (Private Individual).

Estimate had been prepared for the Rehabilitation of the Rubble Mound sea wall to a extent of 750 meters at Eraviputhenthurai, Sea Shore, Vilavancode Taluk presently Killiyoor Taluk, Kanyakumari District, at an estimated cost of Rs.300 lakhs and G.O.Ms.No.52/Public Works (W1) Dept. at 10.03.2017 has been published in connection with the Administrative Sanction of Government with regard to the above said work. Thereafter, after complying all the due procedure, contract had been awarded to the 4th accused Tr.Ramesh and work had been entrusted to him on 01.11. 2017.

The nature of the said contract work was formation of Armour Layer and doing Armour packings with the help of stones weighing from 1000 to 1500kg from the quarries where the said stones were available.

The said stones shall be loaded in Tipper lorries and would be weighed in the weigh bridge owned by Public Works Department at Poonthurai and shall be unloaded in the work site at Eraviputhenthurai. To confirm that the stones were dumped at the work site at Eraviputhenthurai, signature has to be obtained in the invoice from the Site Supervisor and again the empty tipper lorry shall be weighed in the weigh bridge at Poonthurai by the Assistant Engineer and necessary entries shall be made in the Trip Register. Thereafter the time of return of the empty Tipper Lorry, the weight of the empty tipper lorry and the total weight of stone brought in the tipper lorry shall be calculated and entered in the trip register and shall be signed by the Assistant Engineer. To ensure the correctness of the above entries in each trip, the Assistant Engineer and the Contractor shall sign in the trip sheet. To confirm the above entries are correct the Assistant Executive Engineer and Executive Engineer have to counter sign in the trip sheet during the time of their Inspection. The huge stones dumped at the work site at Eraviputhenthurai used for armour layer and armour packing in the Rubble Mound Sea Wall, Measurement shall be taken by Assistant Engineer and entered into the M.Books. These measurement would be cross checked and super checked by Assistant Executive Engineer and Executive Engineer and they shall sign in the M Book. The above said measurement and quality of work shall be checked by the Divisional Quality Control Wing to ensure the quality of the work. As per the entries in the M.Book it discloses that Superintendent Engineer, PWD on 14.11.2018 had inspected the worksite and checked the quality of the work and certified and endorsed his signature at the end of M.Book.

The alleged works carried out from 01.11.2017 to 20.01.2018 have been entered in the M.Books 1462^A and 1297^A. According to the alleged measurements entered in the Trip Register and M.Book it discloses that 16482.24 MT stones were dumped at the above said work site from 01.01.2017 to 20.01.2018.

The entries in the M-Book as if that total work to a tune of Rs.2,80,42,534/- have been executed till 31.10.2018 as per the specification in the agreement of contract.

When enquired about the vehicles which were alleged to have been used to bring the stones from Quarries to the work site and their numbers entered in the Trip Register, invoice and M Book, it is ascertained through RTO, Nagercoil that TN-72-C-0797 is not a Lorry and it is Bajaj M-80 two wheeler motor cycle and TN-30-AX-8336 is not a Lorry and it is TATA ACE-LGV four wheeler have a capacity of carrying 745 kg alone in the vehicle.

So, it is clear that the above said officials in collusion with 4th accused fraudulently entered the above said vehicle numbers in the Trip Register, Invoice and M-Book wherein any stones weighing 1000 to 1500 kg cannot be transported in the above said vehicles. The officials had recorded as if 118 MT weighing stones have been brought through the above vehicles TN-72-C-0797 and TN-30-AX-8336. But the said vehicles are M-80 scooter and TATA ACE and as such there is no chance to transport the stones weighing 1000 kg to 1500 kg in the above said vehicles.

The statement of the stone quarry owners discloses that 475.44 MT stones alone had been brought to the work site. On calculation with regard to the claim by the accused that 16482.24 MT stones were

transported to the work site. The actually transported stones as per the statement of quarry owners is 475.44 MT. Now (16482.24M.T minus 475.44 MT= 16006.8 MT). So 16006.8 MT stones have not been transported for execution of the alleged work to the work site. The value of per MT stone is Rs. 402/-. Accordingly, the cost of the non-transported 16006.8 MT stones multiplied by Rs. 402/- Per MT accrues to Rs. 64,34,733/-. This amount had been misappropriated by the accused without actually executing the work as per estimate.

So, it is crystal clear that they had not transported the said 16006.8 MT weighing stones to the work site but they have fraudulently recorded as they brought these stones to the work site through the vehicles and misappropriated the amount of Rs. 64,34,733/- and caused loss to the Government to the said extent.

The Accused Officer 1 to 3 were responsible for execution of the above said work as per the specification mentioned in the contract and agreement along with 4th accused.

Presently, a Preliminary Enquiry had been conducted from 01.11.2017 to 20.01.2018 and the above said loss had been unearthed. To unearth the loss from 21.01.2018 to 31.10.2018, the period of execution as claimed by the accused has to be unearthed and the actual loss in total and other officials if any involved in this scam has to be done by conducting further investigation in this case.

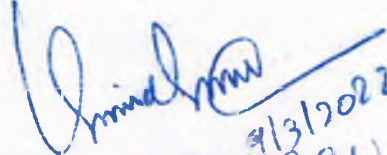
Thus the AO-1 to AO-3 being public servants and A4 have entered into criminal conspiracy from 01.11.2017 to 31.10.2018 with common intention of misappropriating the funds allocated to execute the above work and in pursuance of the same, have framed incorrect Trip register, Invoice and M Book by making false entries and committed criminal

breach of Trust in respect of property under their control and dominion and criminal misconduct, and converted the funds for their own use in respect of the funds entrusted to them and under their control as public servants or allows any other person so to do it for the purpose of misappropriation.

Therefore, today 09.03.2022 at 14.00 hrs I am registering the case in Kanyakumari Detachment Vigilance and Anti-Corruption Cr.No.2/2022 against A-1 Tr.A. Christhu NesaKumar, Formerly EE, PWD/Anti- Sea Erosion Division, Kanyakumari District. A-2 Tr.S. Arjunan, Formerly AEE, PWD/Anti- Sea Erosion Division, Kanyakumari District. A-3 Tr. M. Thanumoorthy, Formerly AE, PWD/Anti- Sea Erosion Division, Kanyakumari District and A-4 Tr.C. Ramesh, Contractor (Private Individual) for the commission of offences 13(2) r/w 13(1)(c) of PC Act 1988 and 13(2) r/w 13(1)(a) of PC Act 1988 (as amended by Act 16/2018) and 120-B, 167, 409,477-A, 34 of IPC.

The original FIR is submitted to the Hon'ble Court of Chief Judicial Magistrate cum Special Judge, Special Court for Trial of cases under Prevention of Corruption Act, Kanyakumari District @ Nagercoil and other copies to the officials concerned and I handed over a copy of the F.I.R to Tmt.T.T.Rema, Inspector of Police for further investigation.




C. SIVASANKARI
9/3/2022
Inspector of Police,
V&A.C, Kanyakumari
Detachment.