

FIRST INFORMATION REPORT

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

TAMIL NADU POLICE
INTEGRATED INVESTIGATION FORM-I

C 8101909

1. District : *Chennai* PS: *DVAC - HARS* Year: *2023* FIR No.: *06* Date: *31-07-2023*
மாவட்டம் *Chennai* காவல்நிலையம் *DVAC - HARS* ஆண்டு *2023* முத.அ. எண் *06* நாள் *31-07-2023*
2. (i) Act சட்டம்: *IPC* Sections பிரிவுகள்: *409 IPC & 109 IPC*
(ii) Act சட்டம்: *The Prevention of Corruption* Sections பிரிவுகள்: *12 & 13(2) & 13(1) (a)*
(iii) Act சட்டம்: *Act-1988 as amended in 2018* Sections பிரிவுகள்:
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் :
3. (a) Occurrence of Offence Day : Date from : *between 2019 and 2020* Date to :
குற்ற நிகழ்வு நாள் *between 2019 and 2020* நாள் முதல் *between 2019 and 2020* நாள் வரை
Time Period : Time from : Time to :
நேர அளவு *between 2019 and 2020* நேரம் முதல் *between 2019 and 2020* நேரம் வரை
(b) Information Received at PS. Date : *31-07-2023* Time : *14-00 hrs*
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் *31-07-2023* நேரம் *14-00 hrs*
(c) General Diary Reference : Entry No(s) *31-07-2023* Time : *16-00 hrs*
பொது நாட்குறிப்பில் பதிவு விவரம் எண் *31-07-2023* நேரம் *16-00 hrs*
4. Type of Information : Written/ Oral : *Written.*
தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக *Written.*
5. Place of Occurrence (a) Direction and Distance from PS: *Koyambedu whole sale market complex,*
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும் *Koyambedu, Chennai.*
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 : *G. KARTHIK* (b) Father's/ Husband's Name : *R. Guruswaran*
குற்றமுறையீட்டாளர்/ தகவல் தந்தவர் பெயர் *G. KARTHIK* தந்தை / கணவர் பெயர் *R. Guruswaran*
(c) Date / Year of Birth : *40 years* (d) Nationality : *Indian* (e) Passport No. :
நாள் / பிறந்த ஆண்டு *40 years* நாட்டினம் *Indian* வெளிநாட்டு கடவுச்சீட்டு எண்
Date of Issue : Place of Issue :
வழங்கப்பட்ட நாள் *40 years* வழங்கப்பட்ட இடம்
(f) Occupation : *Inspector of* (g) Address : *Special Investigation Cell,*
தொழில் *Inspector of* முகவரி *Special Investigation Cell,*
Police *Vigilance and Anti-Corruption,*
Chennai - 16.
7. Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary)
தெரிந்த / ஐயப்பட்டிருந்த / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள்
(தேவையெனில் தனித்தாள் இணைக்கவும்)
A0-1 Tr. Srinivasa Rao, Superintending Engineer, Chennai Metropolitan Development Authority, Chennai - 08.
A2 Tr. P. Senthil Kumar (Private Individual), No. 59, 5th Cross Street, Valluammal Nagar, Nextundnam, Ch - 107.
8. Reasons for delay in reporting by the complainant / Informant:
குற்றமுறையீட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்
On the out come of the Credible source of information.

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

Given in separate sheets 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 *Tmt. Mahalakshmi* Rank *Inspr. of Police* 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.

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

15. Date & Time of despatch to the court: *31.07.2023 @*
 நீதிமன்றத்திற்கு அனுப்பப்பட்ட நாளும், நேரமும் *15.00 hrs*

Name: பெயர் *A. KARTHIK*
 Rank: நிலை *Inspr. of Police* No. எண்

*Special Investigation Cell
 Vigilance and Anti Corruption
 Mahalaxmi, Chennai - 16*

Continuation of Serial No.12 of the FIR in DVAC, Head Quarters Cr.No.06/2023 u/s 409 IPC, 13 (2) r/w 13 (1) (a) of Prevention of Corruption Act 1988 as amended in Prevention of Corruption Act 2018 and u/s 409 IPC r/w 109 IPC, 12 r/w 13 (2) r/w 13 (1) (a) of Prevention of Corruption Act 1988 as amended in Prevention of Corruption Act 2018

ACCUSED

AO-1 Tr.Srinivasa Rao,
Superintending Engineer,
Chennai Metropolitan,
Development Authority,
Chennai-8.

A-2 Tr. P.Senthil Kumar,
(Private Individual),
Residing at
No.59, 5th Cross Street,
Valliammal Nagar,
Nerkundram, Chennai-107.

Credible source of information was received against the marginally noted A-1 and A-2 which revealed prima facie cognizable offences under Indian Penal Code and the Prevention of Corruption Act. The information disclosed the following:

A-1 Tr.Srinivasa Rao, has been working as Superintending Engineer at Chennai Metropolitan Development Authority, Chennai. He is a public servant as per the provision of 2(c) of the Prevention of Corruption Act.

A-2 Tr.P.Senthil Kumar is a private individual.

2. The Koyambedu Wholesale Market Complex (KWMC) located at Koyambedu, Chennai, consists of both wholesale and retail shops in which there are Vegetable, Fruits, Flower shops and Food Grain Shops.

3. The Chennai Metropolitan Development Authority had floated tender cum auction notification for the sale of four types of unsold shops viz., Vegetable Shops, Fruit Shops, Flower Shops and Food Grain Shops in the official website vide Tender Notice No.2/2019-20 dated 22.07.2019 by inviting tenders floated by the Superintending Engineer, Chennai Metropolitan Development Authority, Chennai. The Superintending Engineer has the powers

to conduct Tender and Auction as per the procedures laid down. On receipt of the Tender applications & after scrutiny of the applications, the Superintending Engineer conducts Auction.

4. Based on the recommendation of Superintending Engineer, Chennai Metropolitan Development Authority, Chennai, the Chief Executive Officer, Chennai Metropolitan Development Authority, Chennai-8 vide his Letter No.K2/3909/2019 dated 26.11.2019 allotted shop No.VH-83 to Tr.Senthilkumar (A-2) being the highest bidder, measuring 1061.88 sq.ft. & 201.76 sq.ft. of Court Yard marked as 'Restaurant' in the Periyar Vegetable Market at Koyambedu at the rate of Rs.18,750/- per sq.ft. for the total value of Rs.2,18,35,000/- for outright sale of shop.

5. Based on the above said allotment order, sale deed was executed in favour of A-2 Tr.P.Senthil Kumar vide Doc.No.544/2020, dt.05.02.2020 of Sub Registrar, Anna Nagar, Chennai marking as Vegetable market instead of Restaurant for the total cost of 2,18,35,000/- (Rupees Two Crores eighteen lakhs thirty five thousand only). Subsequently, Thiru P.Senthilkumar (A2) took possession and he converted the said single shop into 11 small shops and carrying on Vegetable business at all 11 shops.

6. The Field Measurement Book (FMB) sketch and Annexure of the Market Value for the shops of the CMDA pertaining to VH-83 shows it as 'Restaurant'. Whereas in the allotment order vide Letter No.K2/3909/2019 dated 26.11.2019, it is mentioned as 'Vegetable Shop'. The Tender Notice No.2/2019-20 shows that VH-83 situated in the vegetable market measuring an extent of 1061.88 sq.ft with 201.76 Sq.ft. of Court Yard has been mentioned as 'Restaurant' and as such department upset price was fixed as Rs.18,750/- per Sq.ft for restaurant and 50% of the upset price Rs.9,375/- per Sq.ft for court yard which is calculated as Rs.2,18,01,750/-. Whereas, for the regular shops / vegetables shops, the upset price varied from Rs.23,750/- per

sq.ft. to Rs.26,250/- per sq.ft depending up on the location which is arrived as Rs.3,05,22,450/-. The comparison of the price fixed for the shop reveals that there is a difference of an amount of Rs.86,87,450/- which is in total contradiction to the procedures adopted for fixing up of rates to shops by CMDA. Thereby a wrongful revenue loss of Rs.86,87,450/- had been caused to the Government Exchequer.

7. Tr.Srinivasa Rao (A-1), Superintending Engineer, Chennai Metropolitan Development Authority, Chennai, being entrusted with the aforesaid property in the capacity of a public servant is alleged to have committed an offence of criminal breach of trust by allotting the aforesaid property comprising Shop No:VH-83 as 'Vegetable Market' which is actually classified as 'Restaurant' in order to facilitate Tr.Senthilkumar (A2).


8. A-1 Tr.Srinivasa Rao, after fixing the auction price for restaurant as Rs.18,750/- had issued the allotment order changing the VH-83 shop as vegetable market shop which actually had the outright sale value of Rs.26,250/- per sq.ft. Thereby causing wrongful loss of Rs.86,87,450/- to the Government exchequer and wrongful gain to the vendor A-2. Tr.Senthil Kumar. Thus A-1 Tr.Srinivasa Rao, Superintending Engineer, Chennai Metropolitan Development Authority, Chennai being a public servant had fraudulently misappropriated and converted the property under his control and allowed A-2 Tr.P.Senthil Kumar to attain wrongful gain.

9. There is a prima facie material that disclosed suspicion of commission of cognizable offence of criminal breach of trust and criminal misconduct committable by public servant. Thus, A-1 Tr.Srinivasa Rao working as Superintending Engineer, Chennai Metropolitan Development Authority, Chennai during the period between 2019 and 2020 is alleged to have committed criminal breach of trust and criminal misconduct by facilitating the said private individual Tr.Senthikumar (A2) to have a wrongful gain of

Rs.86,87,450/- by abusing his official position, deliberately camouflage the sale of 'Restaurant' as a sale of 'Vegetable Shop' in the allotment order and thereby facilitating the accused A-2 Tr.Senthilkumar to make illegal gain by violating the procedure established by law and thereby alleged to have committed offences punishable u/s 409 IPC and 13 (2) r/w 13 (1) (a) of Prevention of Corruption Act 1988 as amended by Prevention of Corruption (amendment) Act 2018. The A2 Tr.Senthilkumar is thereby alleged to have committed offences punishable u/s 409 IPC r/w 109 IPC and 12 r/w 13 (2) r/w 13 (1) (a) of Prevention of Corruption Act 1988 as amended by Prevention of Corruption (amendment) Act 2018.

9. Therefore this FIR is being registered after obtaining prior permission of the competent authority u/s 17(A)(1) of Prevention of Corruption Act 1988 as amended in 2018. Hence, this day 31.07.2023 at 14.00 hrs, I am registering a case in DVAC, Headquarters Cr.No.06/2023 u/s 409 IPC, 13 (2) r/w 13 (1) (a) of Prevention of Corruption Act 1988 as amended in Prevention of Corruption Act 2018 and u/s 409 IPC r/w 109 IPC, 12 r/w 13 (2) r/w 13 (1) (a) of Prevention of Corruption Act 1988 as amended in Prevention of Corruption Act 2018 against the marginally noted accused.

10. The original FIR is submitted before the Hon'ble Special Court for Cases under Prevention of Corruption Act, Chennai and a copy is sent to the Superintendent of Police, Special Investigation Cell, Vigilance and Anti-Corruption, Chennai-16.


(G.Karthik) 31.07.2023
INSPECTOR OF POLICE
Special Investigation Cell
Vigilance & Anti Corruption,
Chennai - 600 016.