

P.R.C. NO. /2005

FINAL REPORT UNDER SECTION 173(2) Cr.P.C.

IN B2.VISHNUKANCHI PS CR.NO.914/2004 UNDER SECTION 120 (B),
302, 449, 213, 214, 201 IPC WITH SECTION 109 AND 34 IPC

Sec. 173 (2)(i)(a) : The names of Parties:-

State represented by
Addl. Superintendent of Police,
Prohibition and Enforcement Wing,
Kanchipuram.

-Vs.-

- A1. Subramanian @ Jayendra Saraswathi (70/04) **Approver:-**
S/o.Mahadeva Iyyar,
Erulneeki, Mannarkudi now at
Sri Sankara Mutt, No.1, Salai Street,
Periya Kanchipuram. P.Subramaniam @
Ravi Subramaniam(49/04)
S/o.K.Panchapakesan,
20/128,Rameswaram Rd.,
T.Nagar,Chennai-600017.
- A2. Sankaranarayanan @ Vijayendra Saraswathi (35/04)
S/o.M.Krishnamoorthy,
Sri Sankara Mutt, No.1, Salai Street,
Periya Kanchipuram.
- A3. N.Sundaresan (67/04)
S/o.S.P.Natesa Sasthirigal,
Manager,
Sri Sankara Mutt, No.1, Salai Street,
Periya Kanchipuram.
- A4. M.K.Raghu (29/04)
S/o.M.Krishnamoorthy,
Sri Sankara Mutt, No.1, Salai Street,
Periya Kanchipuram.
- A5. K.G.Krishnaswamy @ Appu (49/04)
S/o K.G.Gopal Reddy,
5, IX Cross Road,
M.K.B.Nagar,
Chennai – 600 039.
- A6. Kathiravan (32/04)
S/o.Manickam,
No.9A, V.V.Giri Street,
Sathiya Garden,
Saligramam, Chennai-600 093.

- A7. Rajinikanth @ Chinna @ Rajinichinna (29/04)
S/o.P.Sugunan
No.32/54, Jeevanantham Street,
G.K.M. Colony, Chennai-600 082.
- A8. Ambigapathy @ Ambi (31/04)
S/o.Rajagopal,
No14, Pillaiyar Koil Street,
Venkayamandi, Maduravoil, Chennai.
- A9. M.Bhaskar @ Madu Baskar (24/04)
S/o.Muthu,
26, Karunanithi Street,
Annai Anjugam Nagar,
G.K.M. Colony,
Chennai-600 082.
- A10. K.S.Kumar (34/04)
S/o.Shankar,
No.65, Rajan Nagar Main Road,
Kolathur, Chennai-600 099.
- A11. Anandakumar @ Anand (22/04),
S/o.Chinnaian,
No.15, 37th Street,
G.K.M.Colony,
Villivakkam, Chennai-600 082.
- A12. Anilkumar @ Anil (25/04),
S/o.Dennis Paul,
No.562/A, Saraswathi Nagar,
Thirumullaivoil, Chennai-600 062.
- A13. Meenakshisundaram @ Sundar (32/04)
S/o.N.Veerasingam,
4/30, Palai Street, M.G.R. Nagar,
Chennai-600 078.
- A14. R.T.Palani (36/04)
S/o.Thandavarayan,
No10, 7th Padasalai Street,
Jaffarkhanpet,
Chennai-600 083.
- A15. Ravi @ Kuruvi Ravi (34/04)
S/o.Parama Guru,
No.27, Bhurma Colony,
Ekkattuthangal,
Chennai-600 097.
- A16. Arumugam (22/04),
S/o.Palanisamy,
No.37, 2nd Street, Jothi Nagar,
Ekkattuthangal,
Chennai-600 097.

A17.Pandian @ Thil Pandian (22/04)
S/o.Thangavel,
No.80/26,Mugapare Road,
Mannurpet, Padi,
Chennai-600 050.

A18.Satheesh (22/04),
S/o.Krishnamurthy,
No.12, Panjaliamman Koil Street,
Ambedkar Nagar,Arumbakkam,
Chennai—600 106.

A19.Devaraj (37/04),
S/o.Anandan,
No.10/30, 30th Street,
M.G.R.Street,
Puttmedu,G.K.M.Colony,
Villivakkam,Chennai.

A20.Arun (19/04),
S/o.Umesh Balan,
No.4, Thanthai Periyar Kudil,
Puttmedu, G.K.M.Colony,
Villivakkam, Chennai.

A21.Arumugam (24/04)
S/o.Ramachandran,
Arjunanmedu,
Thiruverkadu,Chennai.

A22.Sekhar (27/04),
S/o.Arunachalam,
No.47, 32nd Street,
Jeevanandan Street,
G.K.M.Colony,
Villivakkam,Chennai-82.

A23.Silverstar @ Stalin (24/04)
S/o.John Arokiya Dass,
No.74/36, Dr.Jayaprakash Street,
G.K.M.Colony, Villivakkam,
Chennai-600 082.

A24.Senthilkumar (24/04),
S/o.K.Vaithiyalingam,
No.45/25, Balaji Nagar,
1st Main Road,
Ekkattuthangal, Chennai-600 097.

(2) (i) (b) : The Nature of Information:-

On 03.09.2004 at 18.30 hours, on information, the Inspector of Police, Vishnukanchi PS, Kanchipuram, reached the place of occurrence at Varadharaja Perumal Temple, Chinnakanchipuram and received a report from one N.S.Ganesh, S/o.Shanmugam, a jewel accountant of the said temple, where in he has stated that one Sankararaman, Manager of the Temple was hacked to death by two unknown persons with aruvals at the temple office at about 5.45 PM and they escaped from the scene of crime along with their three other associates in three motorcycles, and the deceased was found to have sustained cut injuries on his head, above the neck, centre of the head and on his left hand little finger. Then they informed the fact of such murder to the temple authorities and also to the police. Then the police personnel came to the scene of crime and the report was given by him.

On receipt of the same report, the Inspector of Police, Vishnukanchi PS returned to the Police Station on 03.09.2004 at 7.00 PM and registered a case in Cr.No.914/2004 of Vishnukanchi PS u/s. 302 r/w 34 IPC and took up investigation.

During the course of investigation, on 04.09.2004, the Inspector of Police seized several documents, including the copy of the letters said to have been written by the deceased Sankararaman, to A1.Jayendra Saraswathi @ Subramaniam from the house of deceased situated in Door No.74, South Mada Street, Chinnakanchipuram, handed over by the wife of deceased namely Padma. Through these letters, the deceased Sankararaman ventilated his grievances against A1.Jayendra Saraswathy and A2.Vijayendira Saraswathy and condemned the activities of A1 and A2 in respect of Sankara Mutt Administration and the personal character and conduct of A1 and A2, which infuriated A1 and A2 in such a manner which created deep animosity against Sankararaman to the extent of annihilating him.

On 17.09.2004, consequent to the proceedings of the Superintendent of Police, Kanchipuram vide in C.No.263/Camp/KPM/2004, dated 17.09.2004, the Additional Superintendent of Police, Prohibition Enforcement Wing, Kanchipuram has taken up further investigation in the above said case.

While the investigation was pending with Additional Superintendent of Police, the following five fake accused namely A16. Arumugam, A17.Pandian @ Thil Pandian, A18.Sateesh, A19.Devaraj and A20.Arun have been surrendered before the Court of XV Metropolitan Magistrate, George Town, Chennai in the above case on 27.10.2004 at the instigation and facilitation of A13.Sundar @ Meenakshisundaram, A14.Palani and A15.Ravi @ Kuruvi Ravi as directed / instructed by A7.Rajini Kanth @ Chinna and A9.Mattu Baskar, who obeyed the command of A6.Kathiravan with a view to cause disappearance of the evidence of the offence of murder and to screen the real offenders and to escape from the clutches of law and to misguide the investigation by furnishing such false information.

All the said five fake accused who remanded before the court of XV Metropolitan Magistrate, Chennai have been taken into Police custody on 3.11.2004 and their interrogation disclosed the above said facts and also the involvement of A1.Jayendrar to a certain extent. Pursuant to their respective confessions, the amount given to them for such illegal purpose by A6.Kathiravan, who dispersed such amount belonging to Sankara Mutt, Kanchipuram obtained from A1. Jayendrar and the Manager of the Mutt A3.Sundaresan, through A5.Krishnasamy @ Appu and approver Ravi Subramaniam, were recovered on 3rd and 4th day of November 2004.

Subsequent to the disclosure of facts by the above mentioned five fake accused and also other evidence gathered during the course of investigation, A14.Palani and A15.Ravi @ Kuruvi Ravi were arrested on 05.11.2004. In pursuant to their respective confessions two Cell phones used by them, and an amount of several thousands were recovered and the A13.Sundar @ Meenakshisundaram who was arrested on 6.11.2004 and in his confession, a Cell phone, amount of several thousands and other materials were recovered.

The interrogation of several accused coupled with other materials collected during the investigation clearly established that A10.Kumar and A11.Anand @ Anandakumar had actually participated in the commission of murder of Sankaraman and were arrested on 6.11.2004 at 14.30 hours and 16.30 hours respectively at Kanchipuram and on the confession of A10.Kumar, a Cell phone, some cash amount were recovered including the

motorcycle (Yamaha) with No.TN-22-U-3267 which was used for the offence of murder of Sankararaman on 03.09.2004. On the confession of A11.Anand @ Anandakumar, a Cell phone, some cash amount and a knife used in the commission of the offence of murder were recovered. A10.Kumar who voluntarily surrendered before Revenue Inspector, Kanchipuram on 6.11.2004 has given a statement which was forwarded to the Police.

On 5.11.2004, A23.Silver Star @ Stalin and on 06.11.04 the A22 Sekar were arrested and on the confession of A22.Sekar a Cell Phone and some cash amount were recovered. On 07.11.2004 A24 Senthilkumar and A21.Arumugam were arrested and on the confession of each accused, some amount of cash were recovered. The alleged cash amount given to all the five fake /false accused and others were dispersed through the A21 to A24, to their respective family members and thereby A21 to A24 facilitated the surrender of all such false accused.

On 05.11.2004, A9.Madu Baskar @ Baskar, the actual assailant involved in the commission of murder of Sankararaman, surrendered himself before the court of DM/ JM Thiruvotriyur and such fact was known to the Police later.

On 09.11.2004, A7.Rajinikanth @ Chinna who actually participated in the commissions of murder of Sankararaman, and A6.Kathiravan who actively took part in the conspiracy meeting with A1 to A5, and also instrumental for the alleged money disbursement for the surrender of false accused, were arrested, at Koyembedu Junction at 100 feet road, Chennai at 10.30 PM. On the confession made by A7.Rajinikanth @ Chinna, three motor cycles bearing Reg.No.TN-09-D-9851, TN-04-A-1013 and TN-01-Z-1372 which were used on the date of commission of murder on 03.09.2004 were recovered and on the confession of A6.Kathiravan, a Nokia Cell phone No.98404-88588 and a cash amount of Rs.30,000/- were recovered from his house situated at Saligramam, Chennai. Further A6.Kathiravan has voluntarily given a confessional statement under section 164 (2) Cr.P.C. wherein he has disclosed the involvement of A1 to A5. in the commission of the offence of murder of Sankararaman. Further a revolver belonging to A5. Appu @ Krishnasamy was recovered from the possession of A6.Kathiravan.

On 11.11.2004, at 22.00 hours in Andhra Pradesh, Mehaboob Nagar District, Mehaboob Nagar, at Suriyalakshmi Cotton Mill Guest House, A1.Jayendrar Saraswathy @ Subramaniam, who is the prime accused and main instrument for causing the death of Sankararaman was arrested and on his confession on 21.11.2004, while in Police custody, four documents namely the letters written by the deceased Sankararaman under the guise of Somasekaraganapadigal to A1.Jayendrar along with a telephone directory and a cell phone charger were recovered at the instance of A1.Jayendrar and handed over by witness Neyveli Krishnamurthy. Earlier on 13.11.2004 and 14.11.2004, a telephone directory used by A1.Jayendrar and a Reliance Cell Phone No.93643 24348 used by A1.Jayendrar were recovered in connection with this case.

On 17.11.2004, A8.Ambi @ Ambigapathy who is actual assailant has surrendered before the court of Judicial Magistrate, Alandur and while in Police custody on 25.11.2004 a knife with blood stains, used in the commission of the offence of murder of Sankararaman, and his blue shirt were recovered from his house at Maduravoil, Chennai and a Motor cycle with No. TN-02-L-0469 was also seized from Kolathur, Chennai based on his confession. On the same day at 17.00 hours, gold jewels and a Pawn receipt dated 20.9.2004 at 18.00 hours, a gold chain and a pawn receipt dated 29.9.2004 were also recovered.

On 24.11.2004, A12.Anil @ Anilkumar, who took part in the commission of murder of Sankararaman on 03.09.2004, was arrested near Police booth in Central Railway Station Chennai at about 11.00 AM. and a knife with bloodstains alleged to have been used by A9.Madu Baskar @ Baskar in the commission of offence was recovered from his house and a motor cycle with No.TN-02-S-4479 and other connected documents were also recovered from his house on 25.11.2004 at 14.00 hours, based on his confession.

One of the prime accused A5.Appu @ Krishnasamy who was absconding for a long time and who was responsible for organizing hire lings to execute the common design of conspiracy was arrested on 19.12.2004 at 3.30 PM in Balakrishnapuram, Chittoor District, Andhra Pradesh and while he was on police custody on 20.12.2004, the following materials namely two copy of receipts for alleged lump sum payment given

by Approver Ravi Subramaniam at the instance of A1.Jayendrar, for such purpose, pursuant to the said conspiracy. Savera Hotel bills for stay of witness Krishna Ella on the evening of 03.09.2004, on the date of commission of offence, one revolver license pertaining to the revolver seized from A6.Kathiravan and other documents including the huge recovery of 385 piece of red sandalwood to the extent of 70 tonnes, worth about several lakhs as he was not found with any valid license for such huge possession and export, and for which a separate report was sent to the concerned department for taking appropriate action.

The Sankara Mutt Manager, Kanchipuram A3.Sundaresan, a co-conspirator who took part in the conspiracy hatched at Sankara Mutt, and also played a vital role in disbursement of hireling amount to the approver Ravi Subramaniam, to execute the common design of conspiracy was arrested on 24.12.2004 at 19.15 hours, at Kanchipuram, and based upon his confession, certain incriminating documents namely cheques and vouchers to prove the disbursement of hireling amount to the approver Ravi Subramaniam under the guise of genuine transactions, and a cell phone No.98842-22354 which was used by him, were recovered.

A4.Raghu, the brother of A2.Vijayendira Saraswathy who is also a co-conspirator, and who took part in the conspiracy hatched at Sankara Mutt, Kanchipuram was arrested on 30.12.2004 at 19.00 hours in Kanchipuram and certain incriminating documents such as requisition letters for conversion for demand draft, concerned with Indian Bank and ICICI Bank, to make use of the same for unaccounted purposes with a view to execute the common design of conspiracy, and a cell phone No.98423-31314 which was used by him in the above said transaction related to conspiracy aspects, were recovered based on his confession.

A2.Vijayendrar Saraswathi who is a Junior Madathipathi at Sankara Mutt, Kanchipuram, who took active part in the conspiracy hatched at Sankara Mtt, to eliminate Sankararaman, who exposed the misdeeds of A1.Jayendrar and A2.Vijayendrar through various letters written by him to Sankara Mutt Kanchipuram, under the guise of Somasekara Ganapadigal, was arrested on 10.1.2005 at 5.00 PM at Kanchipuram, and was remanded to Judicial custody on the same day. He was taken on police custody on

18.1.2005, during which, he has given a voluntary confession admitting the facts and circumstances of the case related to the conspiracy.

The prime accused / approver, who took part in the conspiracy hatched at Sankara Mutt, Kanchipuram and other places, was arrested on 26.12.2004 at 2.00 PM, in Guruvayur, Kerala State, and produced on 27.12.2004 before the court of Judicial Masigtrate No.II, Kanchipuram and was taken into police custody on the same day, and some incriminating documents such as two money receipts for Rs.6 Lakhs + 20 Lakhs respectively and the cheque signed by him and A3.Sundaresan. Air ticket from Chennai to Mumbai, a photo of Sri Guruvayurappan kept in the sweet box given by A1.Jayendrar on the occasion of Krishna Jayanthi, a passenger list for return journey from Mumbai to Chennai, and a notice for Kumbabishegam at Kadamalaiputhur, were recovered based on his confession and remanded back to judicial custody on 29.12.2004. The voluntary confession of Approver Ravi Subramaniam u/s 164 (2) Cr.P.C. was recorded on 31.12.2004 by learned Judicial Magistrate No.2 Kanchipuram after observing all legal formalities, wherein he has disclosed the participation of A1.Jayendrar to A6.Kadiravan, in the commission of offence of murder of Sankararaman relating to conspiracy aspects. Later on 17.12.2004, a requisition was given before the court of Chief Judicial Magistrate, Chengalpatu to initiate proceedings u/s 306 Cr.P.C., along with certified copy of Sec. 164 (2) Statement. After observing all legal formalities the learned Chief Judicial Magistrate, Chengalpattu was pleased to tender pardon to the accused Ravi Subramaniam on 20.1.2005 and then he was taken as an Approver in the above case.

Sec.173 (2)(l)(c) :- The names of the person who appear to be acquainted with the circumstances of the case :-

The names of the witnesses who appear to be acquainted with the circumstances of the case of appended in Annexure No.I.

(2)(i)(d) :- Whether any offence appear to have been committed and if so, by whom:-

The following accused appear to have been committed the following offences:-

- (i) A1 to A24 u/s. 120 B IPC, and Sec. 120 B r/w 302, 449, 201, 109 and 34 IPC.
- (ii) A8 and A9 u/s. 302 IPC and 34 IPC and 449 IPC
- (iii) A10 u/s. 449 IPC and 302 r/w 109 IPC
- (iv) A7, A11 and A12 u/s. 302 r/w 109 IPC
- (v) A7, A9, A13 to A15 u/s. 214 r/w 302 IPC 109 IPC r/w 201 r/w 302 IPC
- (vi) A16 to A20 u/s. 213 r/w 302 IPC, 201 IPC r/w 302 IPC
- (vii) A21 to A24, u/s. 109 r/w 201 IPC r/w 302 IPC.

CHARGES:-

CHARGE NO.1:-

The accused A1.Subramani @ Jayendra Saraswathi, A2.Vijayendra Saraswathi, A3.Sundaresan, A4.Raghu, A5.Krishnaswamy @ Appu, A6.Kathiravan, A7.Rajini Chinna, A8.Ambigapathy, A9.Madu Bhaskar, A10.K.S.Kumar, A11. Anandakumar, A12.Anilkumar, A13.Sundar @ Meenakshisundaram, A14.R.T.Palani, A15.Ravi @ Kuruvi Ravi, A16.Arumugam, A17.Pandian @ Thil Pandian , A18.Satheesh, A19.Devaraj, A20.Arun, A21.Arumugam, A22.Sekhar,A23.Silverstar Stalin and A24.Senthilkumar noted in the final report along with approver Ravi Subramaniam, in between several months prior to 03.09.2004 and September 2004, met at several places viz. Kanchipuram and Chennai and other places and agreed to do an illegal act of committing murder of Sankararaman by illegal means due to the long standing enmity pending between Sankararaman, the Manager incharge of Varadharaja Perumal Temple, Chinna Kanchipuram and A1.Jayendrar, A2.Vijayendrar and A4.Raghu, as the deceased has exposed the misdeeds as well as assassinating the personal character and conduct of A1.Jayendrar, A2.Vijayendrar and A4.Raghu, and relating to the mal administration and affairs of Sankara Mutt, Kanchipuram through various letters addressed to A1.Jayendrar and Sankara Mutt, Kanchipuram under the guise and name of Somasekaraganapadigal, and thus humiliated, and infuriated and

intimidated them, which resulted to have a final decision of eliminating Sankararaman in consultation with the other accused A3.Sundaresan, A4.Raghu, A5.Appu @ Krishnasamy and A6. Kadiravan along with approver Ravi Subramaniam, specifically on 1.9.2004 at Sankara Mutt, Kanchipuram, consequent to the receipt of the final notice threatening A1 and A2 to face serious consequences sent by said Sankararaman, since the earlier compromise with deceased Sankararaman was ended in futile.

And in turn the approver Ravi Subramaniam A5.Appu @ Krishnasamy and A6.Kadiravan made arrangements to procure hirelings A7.Rajini Chinna, A8.Ambigapathy, A9.Madu Bhaskar, A10.K.S.Kumar, A11. Anandakumar and A12.Anilkumar who are the actual assailants and to make arrangements for surrender of A16.Arumugam, A17.Pandian @ Thil Pandian, A18.Satheesh, A19.Devaraj and A20.Arun with a view to cause disappearance of evidence and to conceal the real assailants from the clutches of law with the aid and facilitation of A13.Sundar @ Meenakshisundaram, A14.R.T.Palani and A15.Ravi @ Kuruvi Ravi and A21.Arumugam, A22.Sekhar, A23.Silverstar Stalin and A24.Senthilkumar and thus A1.Subramani @ Jayendra Saraswathi, A2.Vijayendra Saraswathi, A3.Sundaresan, A4.Raghu, A5.Krishnaswamy @ Appu, A6.Kathiravan, A7.Rajini Chinna, A8.Ambigapathy, A9.Madu Bhaskar, A10.K.S.Kumar, A11. Anandakumar, A12.Anilkumar, A13.Sundar @ Meenakshisundaram, A14.R.T.Palani, A15.Ravi @ Kuruvi Ravi, A16.Arumugam, A17.Pandian @ Thil Pandian, A18.Satheesh, A19.Devaraj, A20.Arun, A21.Arumugam, A22.Sekhar, A23.Silverstar Stalin and A24.Senthilkumar conspired to execute the common design of the conspiracy to cause the death of Sankararaman and to the post events of the commission of murder of Sankararaman and to take a decision as per the needs and situation warranted thereof.

And in pursuance of such conspiracy to eliminate said Sankararaman each one did their best as per the needs and circumstances prevailed, in one way or other and did commit brutal and cold blooded murder of Sankararaman on 03.09.2004 at about 5.30 PM in Varadharaja Perumal Temple, Chinna Kanchipuram and thereby A1.Subramani @ Jayendra Saraswathi, A2.Vijayendra Saraswathi, A3.Sundaresan, A4.Raghu, A5.Krishnaswamy @ Appu, A6.Kathiravan, A7.Rajini Chinna, A8.Ambigapathy, A9.Madu Bhaskar, A10.K.S.Kumar, A11. Anandakumar,

A12.Anilkumar, A13.Sundar @ Meenakshisundaram, A14.R.T.Palani, A15.Ravi @ Kuruvi Ravi, A16.Arumugam, A17.Pandian @ Thil Pandian, A18.Satheesh, A19.Devaraj, A20.Arun, A21.Arumugam, A22.Sekhar, A23.Silverstar Stalin and A24.Senthilkumar appear to have been committed an offence punishable under section 120 B IPC and 120 B r/w 302, 449, 201, 109 and 34 IPC.

CHARGE NO.II

In pursuance of the conspiracy set out in charge No.I and in the course of the same transaction, A6.Kathiravan, A7.Rajini Chinna and A9.Madu Bhaskar along with approver Ravi Subramaniam visited Kanchipuram on 02.09.2004, a day prior to the commission of the murder of Sankararaman with a view to locate the where about of Sankararaman and to fix the identity of Sankararaman and sequel to such recce, the accused A7.Rajini Kanth @ Chinna, A8.Ambigapathy @ Ambi, A9.Madu Baskar @ Baskar, A10.Kumar, A11.Anandakumar @ Anand, A12.Anil Kumar @ Anil, came to Varadharaja Perumal Temple, Chinna Kanchipuram on 03.09.04 at about 5.30 PM, riding in three motor cycles, and parked the same in front of the western entrance of Varadharaja Perumal Temple, after made an enquiry and ascertained about the whereabouts of Sankararaman at his house situated near to the Temple.

After the availability of Sankararaman was ascertained at his office, at Varadharaja Perumal Temple at about 5.30 PM on 03.09.2004 by A7.Rajini Kanth @ Chinna, the other accused A8.Ambi @ Ambigapathy , A9.Madu Baskar @ Baskar and A10.Kumar, committed house trespass by entering into Varadharaja Perumal Temple, each one armed with Aruval, leaving the A7.Rajinikanth @ Chinna, A11.Anandakumar @ Anand, A12.Anilkumar @ Anil near the motor cycle parked in front of the said temple, with intent to cause the death of Sankararaman, an offence punishable with death, and did the same after such trespass and thereby A8.Ambigapathy @ Ambi, A9.Madu Baskar @ Baskar and A10.Kumar appear to have been committed an offence punishable u/s 449 IPC.

CHARGE NO.III

In pursuance of conspiracy set out in charge No.I and in the course of the same transaction, after committing such house trespass, as set out in charge No.II, A8.Ambi @ Ambigapathy and A9.Madu Baskar @ Baskar, effected entry into the office of Varadharaja Perumal Temple, each one armed with Aruval a deadly weapon, at about 5.35 PM, on the same day namely 03.09.2004, while A10.Kumar was doing the watching duty armed with Aruval adjacent to the said office, within the premises of the temple, A8.Ambi @ Ambigapathy and A9. Madu Baskar @ Baskar cut Sankararaman with their respective aruvals on his head and neck who was sitting in a plastic chair and doing the work at the said office and caused his death instantaneously.

Thus A8.Ambi @ Ambigapathy and A9.Madu Baskar @ Baskar did commit murder intentionally causing the death of Sankararaman, and thereby A8.Ambi @ Ambigapathy and A9.Madu Baskar @ Baskar appear to have been committed an offence punishable u/s 302 IPC.

CHARGE NO. IV:-

And in pursuance of the said conspiracy set out in charge No.I and in the course of same transaction, A10.Kumar who accompanied A8.Ambi @ Ambigapathy and A9.Madu Baskar @ Baskar, after committing such house trespass as set out in charge No.II and who was doing the watching duty armed with Aruval adjacent to the office inside Sri Varadharaja Perumal Temple at the same day time and place, while A8.Ambi @ Ambigapathy and A9.Madu Baskar @ Baskar committing the murder of Sankararaman with the common contention of all (A8.Ambi @ Ambigapathy, A9.Madu Baskar @ Baskar and A10.Kumar) and thereby A10. Kumar appear to have been committed an offence punishable u/s 302, r/w 34 IPC and u/s. 109 r/w 302 as he has thus aided and facilitated and abetted A8.Ambi @ Ambigapathy and A9.Madu Baskar in the commission of the offence of murder of Sankararaman.

CHARGE NO.V:-

And in pursuance of the said conspiracy set out in charge No.I and in the course of same transaction, at the same day, time and place A7.Rajinikanth @ Chinna, A11.Anand @ Anandakumar and A12.Anil @ Anilkumar who were waiting near the respective motorcycles, in front of the Varadharaja Perumal Temple to take away the actual assailants A8.Ambi @ Ambigapathy , A9.Madu Baskar @ Baskar and A10.Kumar, soon after the murder of said Sankararaman and to flee away from the scene of crime, thus aided, facilitated and abetted A8.Ambi @ Ambigapathy, A9.Madu Baskar @ Baskar and A10.Kumar in the commission of the offence of the murder of Sankararaman and which offence of murder was committed in consequences of such abetment made by A7.Rajinikanth @ Chinna, A11.Anand @ Anandakumar, A12.Anil @ Anilkumar, and thus A7.Rajinikanth @ Chinna, A11.Anand @ Anandakumar, A12.Anil @ Anilkumar appear to have committed an offence punishable u/s 109 r/w 302 IPC, which offence would not have happened but for such abetment.

CHARGE NO. VI:-

In pursuance of the said conspiracy set out in charge No.I and in the course of the same transaction, during the month of October' 2004 at Chennai, A13.Sundar @ Meenakashisundaram, A14.Palani and A15.Ravi @ Kuruvi Ravi at the instigation of A9.Madu Baskar @ Baskar and A7.Rajinikanth @ Chinna had made arrangements to procure the fake accused A16.Arumugam, A17.Pandian @ Thil Pandian, A18.Satheesh, A19.Devaraj and A20.Arun by giving and spending several thousands of rupees to each one and dishonestly made them to surrender before the court of XVth Metropolitan Magistrate, George Town, Chennai on 27.10.2004, through an Advocate under the guise of real accused involved in the commission of the murder of Sankararaman case, knowing that they were not actually connected with the above said case with a view to causing disappearance of evidence of the offence of murder of Sankararaman and to screen the real offenders from legal punishment and other conspirators and did the same by such act and thus A13.Sundar @ Meenakashisundaram, A14.Palani and A15.Ravi @ Kuruvi Ravi abetted the above said five false accused namely A16.Arumugam, A17.Pandian @ Thil Pandian, A18.Satheesh, A19.Devaraj and A20.Arun to surrender before the said court and which offence was committed in the

consequence of the abetment made by A7.Rajinikanth @ Chinna and A9.Madu Baskar @ Baskar, A13.Sundar @ Meenakashisundaram, A14.Palani and A15.Ravi @ Kuruvi Ravi and thus A7.Rajinikanth @ Chinna and A9.Madu Baskar @ Baskar A13.Sundar @ Meenakashisundaram, A14.Palani and A15.Ravi @ Kuruvi Ravi appear to have committed an offence punishable u/s 214 r/w 302 IPC, 109 r/w 201 r/w 302 IPC which offence would not have happened but for such abetment.

CHARGE NO.VII:-

In pursuance of the said conspiracy set out in charge No.I and in the course of same transaction, A16 Arumugan, A17.Pandian @ Dhil Pandian, A18.Sathesh, A19.Devaraj and A20.Arun have surrendered themselves before the court of XVth Metropolitan Magistrate, Chennai knowing that they were not real accused concerned in murder of Sankararaman case at the investigation and abetment of A7.Rajinikanth @ Chinna and A9.Madu Baskar @ Baskar and A13.Sundar @ Meenakashisundaram, A14.Palani and A15.Ravi @ Kuruvi Ravi as set out in charge No.VI, with a view to causing disappearance of evidence in the offence of murder of Sankararaman and to screen the real offenders and others with a view to escape them from legal punishment for monitory consideration, thereby A16.Arumugam, A17.Pandian @ Thil Pandian, A18.Satheesh, A19.Devaraj and A20.Arun appear to have committed offences punishable u/s 201 IPC r/w 302 IPC & 213 r/w 302 IPC.

CHARGE NO.VIII:-

In pursuance of said conspiracy set out in charge No.I and in the course of the same transaction the accused A21.Arumugam, A22.Sekar, A23.Silverstar @ Stalin and A24.Senthilkumar aided facilitated all the five fake/ false accused A16.Arumugam, A17.Pandian @ Thil Pandian, A18.Satheesh, A19.Devaraj and A20.Arun, as set out in charge No.VII to surrender them before the court of XVth Metropolitan Magistrate, Chennai in the above said date, after making substantial money payments to the family members of A16.Arumugam, A17.Pandian @ Thil Pandian, A18.Satheesh, A19.Devaraj and A20.Arun, given to them by A6.Kadiravan, for such purpose and thereby A21 Arumugam, A22.Sekar, A23.Silverstar @ Stalin and A24.Senthilkumar appear to have committed an offence punishable u/s 109 r/w 201 r/w 302 IPC.

Whether the accused has been arrested :-

All the accused namely A1.Subramani @ Jayendra Saraswathi, A2.Vijayendra Saraswathi, A3.Sundaresan, A4.Raghu, A5.Krishnaswamy @ Appu, A6.Kathiravan, A7.Rajini Chinna, A8.Ambigapathy, A9.Madu Bhaskar, A10.K.S.Kumar, A11. Anandakumar, A12.Anilkumar, A13.Sundar @ Meenakshisundaram, A14.R.T.Palani, A15.Ravi @ Kuruvi Ravi, A16.Arumugam, A17.Pandian @ Thil Pandian, A18.Satheesh, A19.Devaraj, A20.Arun, A21.Arumugam, A22.Sekhar, A23.Silverstar Stalin and A24.Senthilkumar and the approver have been arrested as noted hereunder.

A1.Jayendirar Saraswathy @ Subramanian was arrested on 11.11.2004 at 22.00 hours at Sathiyalakshmi Cotton Mill Guest House at Mahaboob Nagar, Mahaboob Nagar District, Andhra Pradesh.

A2.Vijayendrar Saraswathy @ Sankaranarayanan was arrested on 10.01.2005 at 5.00 PM at Sankara Mutt, Kanchipuram.

A3.Sundaresan was arrested on 24.12.2004 at 19.15 hours at Special Investigation Team Office, Kanchipuram.

A4.Raghu was arrested on 30.12.2004 at 19.00 hours at Special Investigation Team Office, Kanchipuram.

A5.Krishnasamy @ Appu was arrested on 19.12.2004 at 3.30 PM in Balakrishnapuram, Chittoor District, Andhra Pradesh.

A6.Kadiravan was arrested on 09.11.2004 at 10.30 PM in Koyambedu Junction at 100 Feet Road, Chennai.

A7.Rajinikanth @ Rajini Chinna was arrested on 9.11.2004 at 10.30 PM in Koyambedu Junction at 100 Feet Road, Chennai.

A8.Ambi @ Ambigapathy has surrendered himself before the court of Judicial Magistrate, Alandur on 17.11.2004.

A9.Madu Baskar @ Baskar has surrendered himself before the court of District Magistrate cum Judicial Magistrate, Thiruvottriyur on 5.11.2004.

A10.Kumar was arrested on 6.11.2004 at 14.30 hours in Addl. Supdt. of Police, Kanchipuram produced through Revenue Inspector, Kanchipuram.

A11.Anand @ Anandakumar was arrested on 06.11.2004 at 16.30 hours in Kanchipuram Bus Stand.

A12.Anil @ Anilkumar was arrested on 24.11.2004 at 11.00 AM in Central Railway Station near Police booth in Chennai.

A13.Sundar @ Meenakshisundaram was arrested on 6.11.2004 at 02.00 hours in MGR Nagar, Chennai.

A14.Palani was arrested on 5.11.2004 at 19.00 hours in Defense Colony Ground, Near a Tea Shop in Chennai.

A15.Ravi @ Kuruvi Ravi was arrested on 5.11.2004 at 19.00 hours in Defense Colony Ground near a Tea Shop.

A16.Arumugam has surrendered himself before the Court of XV Metropolitan Magistrate, George Town, Chennai on 27.10.2004.

A17.Pandian @ Thil Pandian has surrendered himself before the Court of XV Metropolitan Magistrate, George Town, Chennai on 27.10.2004.

A18.Satheesh has surrendered himself before the Court of XV Metropolitan Magistrate, George Town, Chennai on 27.10.2004.

A19.Devaraj has surrendered himself before the Court of XV Metropolitan Magistrate, George Town, Chennai on 27.10.2004.

A20.Arun has surrendered himself before the Court of XV Metropolitan Magistrate, George Town, Chennai on 27.10.2004.

A21.Arumugam was arrested on 7.11.2004 at 1.30 PM on the back side of Karumariamman Koil, Thiruverkadu.

A22.Sekar was arrested on 6.11.2004 at 07.00 hours in GKM Colony, Chennai.

A23.Silverstar @ Stalin has surrendered himself before the court of District Magistrate cum Judicial Magistrate, Thiruvottriyur on 5.11.2004.

A24.Senthilkumar was arrested on 7.11.2004 at 11.00 AM in Kathipara Junction, Guindy, Chennai.

Approver Ravi Subramanian was arrested on 26.12.2004 at 2.00 PM in Guruvayur, Kerala State.

2 (i) (f) :-

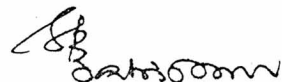
Whether the accused have been released on his bond and if so, whether with or without sureties:-

No one is released on bail, except A1.Jayendrar Saraswathy who was released on bail by the Supreme Court on 10.1.2005 in Crl.Appeal No.44 of 2005 arising out of S.L.P. (Crl.) No.6192 of 2004 on his furnishing of personal bond and two sureties to the satisfaction of Chief Judicial Magistrate, Chengalpattu and with a condition that A1.Jayendrar Saraswathy shall not visit the Mutt premises till the submission of charge sheet.

2(ii)(g) :-

Whether the accused have been forwarded in custody under section 170 Cr.P.C.:-

All the accused A1.Subramani @ Jayendra Saraswathi, A2.Vijayendra Saraswathi, A3.Sundaresan, A4.Raghu, A5.Krishnaswamy @ Appu, A6.Kathiravan, A7.Rajini Chinna, A8.Ambigapathy, A9.Madu Bhaskar, A10.K.S.Kumar, A11. Anandakumar, A12.Anilkumar, A13.Sundar @ Meenakshisundaram, A14.R.T.Palani, A15.Ravi @ Kuruvi Ravi, A16.Arumugam, A17.Pandian @ Thil Pandian, A18.Satheesh, A19.Devaraj, A20.Arun, A21.Arumugam, A22.Sekhar, A23.Silverstar Stalin and A24.Senthilkumar and the approver Ravi Subramanian have been arrested in the place, date and time as mentioned above, and they have been remanded to Judicial Custody within 24 hours, after their arrest.



Addl. Superintendent of Police,
Prohibition Enforcement Wing,
Kanchipuram.

CHIEF INVESTIGATING OFFICER:

Date: 21.01.2005.