IN THE PRINCIPAL COURT OF SESSIONS AT CHENNAI

Present: Thiru.S.Karthikeyan, M.A., M.L., M.Sc., P.G.D.C.F.Sc., P.G.D.D.F.,
Principal Sessions Judge.
Friday, the 24th day of July, 2026

Crl.M.P.No.6656/2026
in
R.C.S.No.09/2026
(Cr.No.01/AC/2024/CC-V)

The State Rep. by,
Deputy Superintendent of Police,
Chennai City - III Unit,
Vigilance and Anti-Corruption,
Alandur, Chennai - 16. ...Complainant

Vs.

1. (A1) R. Vaithiligam
   then Minister for Housing and Urban Development,
   Government of Tamil Nadu,
   Now MLA of Orathanadu Constituency,
   Thanjavur District.
   Residing at No.335, South Street, Thelugan Kudikadu,
   Orantharayankudikadu, Thanjavur - 614 625.

2. (A2) K. R. Ramesh,
   Director,
   M/s. Shriram Properties and Infrastructure Pvt. Ltd., @
   Gateway Office Parks Pvt. Ltd., Lakshmi Neela Rite Choice
   Chambers (First Floor), New No.9, Bazulla Road,
   T. Nagar, Chennai.

3. (A3) Prabhu,
   S/o. Vaithilingam,
   Director, M/s. Muthammal Estates Pvt. Ltd.,
   No.20, First Floor, 10th Avenue, Ashok Nagar,
   Chennai - 83.

4. (A4) Shanmugaprabhu,
   S/o. Vaithilingam,
   Director, M/s. Muthammal Estates Pvt. Ltd.,

No.20, First Floor, 10th Avenue, Ashok Nagar,
Chennai - 83.

5. (A5) Panneerselvam,
S/o. Raju Rengasamy,
Director, M/s. Muthammal Estates Pvt. Ltd.,
No.20, First Floor, 10th Avenue, Ashok Nagar,
Chennai - 83.

6. (A6) M/s. Muthammal Estates Pvt. Ltd.,
No.20, First Floor, 10th Avenue, Ashok Nagar,
Chennai - 83.

7. (A7) M/s. Shriram Properties and Infrastructure Pvt. Ltd., @
Gateway Office Parks Pvt. Ltd., Lakshmi Neela Rite Choice
Chambers (First Floor), New No.9, Bazulla Road,
T. Nagar, Chennai.

8. (A8) M/s. Bharath Coal Chemicals Limited,
No.18/3, 1st Floor, Sigappi Achi Building,
No.18/3, Rukmani Lakshmipathy Salai, Egmore,
Chennai - 8.

9. (A9) Abiyantha Project Engineering Pvt. Ltd.,
1st Floor, Shiram House, No.4, Burkit Road,
T. Nagar, Chennai - 600 017.

10. (A10) M/s. Shashvatha Renewable Energy Pvt. Ltd.,
1st Floor, Shiram House, No.4, Burkit Road,
T. Nagar, Chennai - 600 017.

11. (A11) M/s. Viniyoga Distribution Services Pvt. Ltd.,
1st Floor, Shiram House, No.4, Burkit Road,
T. Nagar, Chennai - 600 017.

and unknown others. ...Accused

This petition is coming on 17.07.2026 before this court for hearing in the presence of the Special Public Prosecutor for Vigilance and Anti-Corruption for the petitioner, upon hearing the petitioner and perusal of case-records and having stood over for consideration till this day, this Court delivered the following:

ORDER

The petitioner/V&AC has come up with the present application seeking for permission for further investigation under Section 173(8) of CrPC.

2. The petitioner, in this petition, submitted as below

2.1. Based on the approval of the Vigilance Commissioner as per U.O. Note No. 2575/VC-III/2022-1, dated 12.07.2022, the Government of Tamil Nadu issued sanction to pursue the matter by according permission vide Letter No. AC/476-1/2022, dated 27.07.2022 of the Public (SC) Department, Government of Tamil Nadu. Based on which DVAC Headquarters, issued Memo vide VR No. 27058/2022/PUB/HQ/SA-26, dated 06.06.2023. Accordingly, a regular case was registered in Cr.No. 01/AC/2024/CC-V u/s 120-B IPC, Sections 7,12,13(2) r/w 13(1)(d) of the PC Act 1988 against Thiru R. Vaithilingam (A1) who served as the Minister for Housing and Urban Development, Government of Tamil Nadu, and also the then Chairman of Chennai Metropolitan Development Authority (CMDA) during the period 2011-2016, and is currently a Member of the Legislative Assembly representing Orathanadu Constituency, Thanjavur District, A2 to A11 and unknown others. The investigation officer conducted a detailed investigation on the allegation that A-1 Thiru. R. Vaithilingam, in his official capacity as the then Minister for Housing and Urban Development and Chairman of the Chennai Metropolitan Development Authority (CMDA), had received illegal gratification totaling to Rs.27.90 crores through M/s. Muthammal Estates Pvt. Ltd., a company operated by his sons, A-3 Thiru Prabhu and A-4 Thiru Shanmugaprabhu and that the alleged bribe had originated from M/s. Shriram Properties and Infrastructure Pvt. Ltd (SPIPL) routed through a group company named M/s. Bharath Coal Chemicals Ltd (BCCL). It is alleged that, these payments were purportedly made in exchange for facilitating the approval and issuance of planning permit by A1 and CMDA for a multi-storeyed building, project located at No. 16, G.S.T. Road, Perungalathur Village, covered in Survey Nos. 367/1A2, 1B, 1C, and 1D, pursuant to File No. C3(S)/20454/2013. It was also alleged that, the approval was granted on 01.04.2015 and planning permit was issued as per PP No. 9059 dated 24.02.2016, only after the receipt of the bribe money. During the course of the investigation, the investigation officer had collected about 392 documents and examined 110 witnesses. Whereas, no documentary or oral evidence could be unearthed to substantiate the aforesaid allegations at that point of time. It was alleged in the FIR, that Rs. 10 Crores each had been transferred from 1) M/s. Abhiyantha Project Engineering Pvt. Ltd.. 2) M/s. Shashvatha Renewable Energy Pvt. Ltd., and 3) M/s. Viniyoga Distribution Services Pvt. Ltd., to M/s.Bharath Coal Chemicals Ltd (BCCL), and that these funds were then routed to M/s. Muthammal Estates Pvt. Ltd. as part of an alleged bribe transaction. Whereas a detailed scrutiny of bank account statements during the relevant period did not reveal about any fund transfer between the aforesaid three companies and BCCL.

2.2. Further, during investigation BCCL claimed to have executed an unregistered agreement on 04.01.2016 with Muthammal Estates for procurement of 24.96 acres of land situated in T.S.No.376/6 at Vayalanallur B village, Thiruvallur District at a total cost of Rs.53.39 crores, with condition that Rs.30 Crores has to be paid by the purchaser on or before 31st March 2016 and the balance payment to be paid on or before 31st December 2018. Similarly, BCCL had executed another unregistered agreement on 28.01.2016 with A5 Tr.R.Panteerselvam, Director of M/s. Muthammal Estates for procurement of around 10 to 12 acres of land situated in Gudapakkam Village, Thiruvallur District at a total cost of Rs.21 crores with condition that Rs.2.1 Crores has to be paid by the purchaser as initial advance amount and the balance will be paid within stipulated time. Thus BCCL has transferred 27.90 crores to Muthammal Estates and another Rs.2.1 crores to A5 Mr. Panneerselvam as per the agreement and the payment was made between 28.01.2016 and 04.02.2016.

2.3. This contention also needs to be investigated on the light of the freshly available evidences. After completion of the investigation, the Investigation officer

Tr. F. Joy Dayal, the Deputy Superintendent of Police, Chennai City IV unit had filed a Closure Report for closing the FIR u/s 193 of BNSS, 2023/173 of Cr.P.C before this Court on 26.02.2026 as no other oral or documentary evidences could be unearthed in order to prove the allegations against the aforesaid Accused. The said report was received by this Court and pending for consideration before this Court. Whereas fresh evidences are currently available, the aforesaid allegations have to be probed into in the interest of justice. Subsequent to the filing of the closure report, new facts/materials/evidence have come to the knowledge of the Investigation Agency which were not available or could not be ascertained during the initial investigation. The aforesaid money transactions between BCCL and 53 Non-existing companies which were unearthed during investigation also needs to be probed into based on the freshly available records. It is also essential to investigate further on the light of these freshly available evidences with regard to the fact that though the Approval for granting Planning Permission was accorded by A1 on 01.04.2015, the actual planning permission was granted only on 24.02.2016 i.e.. after obtainment of the illegal gratification from BCCL to M/s Muthammal Estates Pvt., Ltd., the Company owned by the sons of A1. These indicates the need for further probe and thus mandates the reopen of the case for further investigation.

2.4. In the aforesaid circumstances, the Government of Tamil Nadu had issued direction in Letter No. AC/476-17/2022, Dt. 09.06.2026 to Re-open the investigation on this Regular Case (RC 233/2024/PUB/HQ in Cr. No. 01/AC/2024/CC-V) and proceed further in accordance with the direction of the Government. The Re-open petition was filed on 12.06.2026 by then Investigation Officer. In furtherance of the above petition, this petition is filed by the Deputy Superintendent of Police, Chennai City III unit as per Orders of the Directorate of Vigilance and Anti corruption vide Memorandum in RC 233/2024/PUB/HQ dt: 15.07.2026. The investigation was conducted based on the evidence available at that time. However, in the interest of justice and to prevent any miscarriage of justice, it is just and necessary to carry on the further investigation, at this stage as per the direction of the Government and also based on the following fresh materials emerged recently through communication from Enforcement Directorate dt: 02.06.2026.

(i) It is now revealed that, after initiation of complaint by Arappor lyakkam on 20.05.2022, M/s.BCCL and M/s.Muthammal Estates have created a backdated (04.01.2016) Unregistered agreement between M/s. Bharat Coal Chemicals Ltd. (BCCL) and M/s. Muthammal Estates as an afterthought in order to screen the payment of undue advantage of Rs.27.90 crores for obtaining the Planning permit for M/s.SPIPL. This is now revealed through e-chat conversations between Tmt. Ramya (Whatsapp No. 9841532530) the General Manager Finance, SVL Limited, T.Nagar, Chennai and Tmt. Kotteshwari (Whatsapp No. 9840848191), Chief Financial Officer, Orient Green Power Ltd, Chennai. These evidences are available on the Laptop of the General Manager, Finance, SVL Limited Tmt. Ramya, which needs to be probed.

(ii) The Notary who signed the Unregistered agreement dt: 04.01.2016 between M/s. Bharat Coal Chemicals Ltd. (BCCL) and M/s. Muthammal Estates was not operational in the address mentioned by him.

(iii) The E-mails of Bharath Coal Chemicals Ltd. shows that the company has stored its machinery in Paradeep, Odisha from 2011 to 2014. Later it shifted its machinery to Jajpur (Odisha). There were no communications between the BCCL and M/s. Muthammal Estates with respect to the aforesaid land agreement.

(iv) Tr.Murali, one of the Directors in M/s. Shriram Properties Infrastructure Pvt. Ltd, between 2007 to 2015 was also a trustee of SVL Trust which holds the company of M/s. Bharath Coal Chemicals Ltd during the alleged period 2015-16. This link also needs to be investigated with regard to the illegal Money transactions.

(v) The Vendors to purchase scrap materials had sent Rs.30 crores to BCCL as claimed by CFO Tmt. Kotteshwari, however, these vendors are not traceable and few scrap vendors filed ITR with income in few lakhs and it shows that they are not capable of providing such huge fund to BCCL.

2.5. The petitioner submitted that, no prejudice would be caused to the Accused if this Hon'ble Court is pleased to reopen the case and permit to conduct further investigation, as the process will be fair and in accordance with law. On the contrary further investigation would actually aid in the further discovery of the truth and completion of investigation. In the event of grant of further investigation to DVAC, it would be completed as expeditiously as possible in the interest of justice and the supplementary report would be filed before this Court u/s 173(8) of CrPC. Therefore, the petitioner prays this court to grant permission to DVAC to reopen the case and carry on further investigation based on the freshly available evidences in Cr.No.01/AC/2024/CC-V in the interest of justice.

3. The learned Special Public Prosecutor was heard at length.

4. On careful perusal of record, it is found that a case in Crime Number 01/AC/2024/CC-V for the offenses punishable under Sections 120-B IPC, Sections 7, 12, 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988 was registered as against former Minister Thiru R. Vaithilingam, who served as the Minister for Housing and Urban Development, Government of Tamil Nadu, and also Chairman of the Chennai Metropolitan Development Authority and others. The allegations against the Accused are A1. Thiru Vaithilingam, in his official capacity as the then Minister for Housing and Urban Development and Chairman of the CMDA, had received illegal gratification totaling to rupees 27.90 crores through M/s. Muthammal Estates Private Limited, a company operated by his sons A3. Thiru Prabhu and A4. Thiru Shanmuga Prabhu, and that the alleged bribe had originated from M/s. Shriram Properties and Infrastructures Private Limited, routed through a group of company named M/s. Bharat Coal Chemicals Limited (BCCL). It is alleged that these payments were purportedly made in exchange for facilitating the approval and issuance of planning permit by A1 and CMDA for a multi-storeyed building project

located at No. 16., G.S.T. Road, Perungalathur village, covered in survey numbers 367/1A2, 1B, 1C, and 1D pursuant to file number C3(S)/20454/2013.

5. It was also alleged that the approval was granted on 01.04.2015 and planning permit was issued as per PP No.9059 dated 24.02.2016. Further, it is alleged that a sum of rupees 10 crore each had been transferred from M/s. Abiyantha Project Engineering Private Limited, M/s. Shashvatha Renewable Energy Private Limited, and M/s. Viniyoga Distribution Services Private Limited to M/s. Bharat Coal Chemicals Limited. And that these funds were then routed to M/s. Muthammal Estates Private Limited as part of an alleged bribe transaction. It appears that the investigation officer had collected about 392 documents and examined 110 witnesses. According to the investigation agency, the bank account statements during the relevant period were verified, and the investigation officer has found that no actual fund transfer from the above-said three companies to BCCL took place. There is no monetary inflow traceable to BCCL bank accounts from these entities that could be linked to the 30 crore rupees alleged in the FIR.

6. Further, the investigation revealed that M/s.BCCL had executed an unregistered agreement on 04.01.2016 with Muthammal Estates for procurement of 24.96 acres of land situated in T.S. No. 376/6 at Vayalanallur B village, Thiruvallur district, at a cost of rupees 53.39 crores, with the condition that rupees 30 crores to be paid by the purchaser on or before 31st March 2016 and the balance amount to be paid on or before 31st December 2018. Similarly, BCCL had executed an unregistered agreement on 28.01.2016 with Thiru. R. Paneerselvam for procurement of around 10 to 12 acres of land situated in Gudapakkam village, Thiruvallur district, at a total cost of rupees 21 crores, with the condition that rupees 2.1 crore has to be paid by the purchaser as initial advance, and the balance to be paid within stipulated time. BCCL has transferred rupees 27.90 crores to Muthammal Estate and another rupees 2.1 crore to Mr. Paneerselvam as per the said agreement, and payment was made between 28.01.2016 and 04.02.2016. Therefore, the investigation officer is of the view that the

total 30 crores transferred by BCCL between January and February 2016 to M/s. Muthammal Estates Private Limited and its director Paneerselvam is with a view to secure the land near Thiruvallur Highway. Since the transactions are between two private limited companies, for which they have unregistered sale agreement between them, in the said transaction, neither Sriram Properties and Infrastructure Private Limited nor SPL was found to have directly or indirectly remitted funds to BCCL. Out of the said 30 crores credited to BCCL's Axis Bank account, an amount of rupees 27.9 crore was transferred from BCCL to the bank account of M/s. Muthammal Estates Private Limited. Additionally, 2.10 crore was transferred to the account of Thiru Paneerselvam. These transactions were made in early February 2016.

7. According to the investigation officer, these transactions have not established any direct or operational link between Shriram Properties and Infrastructure Private Limited or M/s. Shriram Properties Limited and M/s. Bharat Coal Chemicals Limited. Therefore, the investigation officer has filed a closure report before this court, stating that further action dropped in the above matter.

8. In the closure report, notice was issued to the de facto complainant, one Mr. Ramachandramoorthy, DSP, Nagapattinam, who has registered the First Information Report has appeared and recorded his no objection for the closure.

9. In the meantime, Arappor Iyakkam, represented by its managing trustee Jayaram Venkatesan, filed a petition for supply of closure report for filing protest petition, and the same is pending consideration.

10. Apart from that, the Enforcement Directorate, who registered ECIR/CEZO-1/16/2024 dated 01/10/2024 for conducting investigation under PMLA, based on the FIR registered by V& AC has come up with an application to implead itself as a party to oppose the closure report, and the same is pending for consideration of its maintainability.

11. The Enforcement Directorate has also filed another application seeking for rejection of the closure report and a direction to direct the police to conduct further investigation in the above case. The said application also under consideration of its maintainability.

12. At this juncture, the V&AC has come up with the present application seeking for permission to conduct further investigation in the above matter. According to the V&AC, fresh evidences are currently available, and therefore, the above-said allegations have to be probed into in the interest of justice. After filing of closure report, new facts, materials, evidences have come to the knowledge of the investigation agency, which were not available or could not be ascertained during the initial investigation. The aforesaid money transaction between BCCL and 53 non-existing companies, which were unearthed during investigation, also needs to be probed into based on the freshly available records. It is also essential to investigate further in the light of these freshly available evidences with regard to the fact that though the approval for granting planning permission was accorded by A1 on 01.04.2015, the actual planning permission was granted only on 24.02.2016, i.e. after obtaining illegal gratification from BCCL to M/s. Muthammal Estates Private Limited, the company owned by the sons of A1. These indicates the need for further probe and thus mandates the reopen of the case for further investigation.

13. The investigation agency has found the following new materials to support their prayer for further investigation:

(i) After initiation of complaint by Arappor Iyakkam on 20.05.2022, M/s. BCCL and M/s. Muthammal Estates have created a backdated unregistered agreement between M/s. Bharat Coal Chemicals Limited and M/s. Muthammal Estates as an afterthought in order to screen the payment of undue advantage of rupees 27.90 crores for obtaining the planning permit for M/s. SPIPL. According to the investigation agency, it is now revealed through e-chat conversation between Tmt. Ramya, WhatsApp number 9841532530, the General Manager Finance, SPL Limited,

T. Nagar, Chennai and Tmt. Koteeswari, WhatsApp number 984048191, Chief Financial Officer, Orient Green Power Limited, Chennai. These evidences are available on the laptop of the General Manager Finance, SPL Limited, Tmt.Ramya.

(ii) The notary who signed the unregistered agreement dated 04.01.2016 between M/s. Bharat Coal Chemicals Limited and M/s. Muthammal Estates was not operational in the address mentioned by him.

(iii) The emails of Bharat Coal Chemicals Limited shows that the company has stored its machinery in Paradip, Odisha from 2011 to 2014. Later it shifted its machinery to Jaipur, Odisha. There were no communications between the BCCL and M/s. Muthammal Estates with respect to the aforesaid land agreement.

(iv) Thiru.Murali, one of the directors in M/s. Shriram Properties and Infrastructure Private Limited between 2007 to 2015, also a sole trustee of SVL Trust, which holds the company of M/s. Bharat Coal Chemicals Limited during the alleged period 2015 to 2016. This link also needs to be investigated with regard to the illegal money transactions.

(v) The vendors to purchase scrap materials had sent rupees 30 crore to BCCL as claimed by CFO Tmt.Koteeswari. However, these vendors are not traceable and a few scrap vendors filed ITR with income in few lakhs and it shows that they are not capable of providing such huge fund to BCCL.

Therefore, V&AC is of the view that a further investigation is necessary in this case. The Government of Tamil Nadu had issued direction vide letter number AC/476-14/2022 dated 19.02.2026 to reopen the investigation in this case.

14. On careful consideration of the materials placed before this court, this court found that Arappor Iyakkam submitted a detailed written complaint dated 20.05.2022 to DV&AC alleging bribery and corruption to the tune of rupees 27.9 crore paid by M/s. Shriram Properties to the former Minister Thiru. R. Vaithilingam for building plan approval of more than 1400 multi-storeyed apartment building at Perungalathur

developed by Sgriram Properties. A preliminary enquiry was conducted in the complaint given by Arappor Iyakkam and the Government of Tamil Nadu has granted permission to register FIR vide letter number AC/476-1/2022 dated 27.07.2022 to DV&AC. Thus, FIR number 01/2024 dated 19.09.2024 came to be registered by DV&AC against the former Minister and 10 more persons for the offenses punishable under Section 120B IPC and Sections 7, 12, 13(2) read with 13(1)(d) of PC Act.

15. It appears that Arappor Iyakkam has produced several documents obtained through public sources as in support of their complaint. It was not made clear as to whether those documents were considered or not. The then investigation officer believed an unregistered agreement of sale said to have executed between BCCL and M/s. Muthammal Estates for procurement of 24.96 acres of land situated in TS number 376/6 at Vayalanallur B village, Thiruvallur district for a total cost of rupees 53.39 crores. It is to be noted that, to prevent land grabbing and bogus transactions, an amendment was brought in the Registration Act vide Tamil Nadu Act 29 of 2012 with effect from 01.12.2012, and thereby documents like power of attorney, sale agreement, and agreement relating to deposit of title deeds and construction agreement executed within the State of Tamil Nadu are made compulsorily registrable. However, in this case, the sale agreement said to have entered into between M/s.BCCL and Muthammal Estates dated 04.01.2016 was not registered as required under Section 17 of the Registration Act as amended by the Registration (Tamil Nadu Amendment) Act, 2012. However, the then investigation officer has failed to note the same and erroneously believed the said unregistered agreement merely because it happened between two corporate entities and he has not conducted any investigation in the line that it could be fabricated ante dated for the purpose of screening the nature of transactions.

16. Further no material was placed before this court to show that the investigation officer has visited the said parcel of land situated in TS number 376/6 at Vayalanallur B village, Thiruvallur district and collected documents to establish the

title of said lands to Muthammal Estates. Further, the investigation officer has failed to investigate as to why the sale agreed under the said sale agreement was not made even after the lapse of 10 years. The mere fact that the sale was not made even after the lapse of 10 years clearly reveals the bogus nature of the said sale agreement. Further, Bharat Coal Chemicals Limited had received money from various entities though there is no material to show that BCCL is involved in any business transactions with the said 53 entities. The nature of transactions said to have taken place between the said 53 entities and BCCL prima facie appears to be suspicious, and no investigation was done in those lines. The enclosures filed along with the closure report does not reveal whether the proprietor/partner/directors of the said entities are examined or not to unearth the trail of money.

17. Now that the investigation agency has claimed that they got e-chat conversation between Tmt.Ramya, the General Manager Finance, SPL Limited and Tmt.Koteeswari, Chief Financial Officer, Orient Green Power Limited, Chennai, which according to the investigation agency, a fresh material which need to be probed in detail. Further, though the Approval for granting Planning Permission was accorded by A1 on 01.04.2015, the actual planning permission was granted only on 24.02.2016 with an unusual delay of 10 months i.e.. after the receipt of money to the tune of Rs.27.9 Crores from M/s.BCCL to M/s. Muthammal Estates Pvt., Ltd., the Company owned by the sons of A1. The reasons for the said unusual delay was also not probed into by the then Investigation Officer.

18. Considering the above all new materials projected in the petition and the lapses on the part of the earlier investigation officer indicated above, this court is of the considered view that the closure report submitted by the earlier investigation officer is liable to be rejected and the department is to be given permission to conduct further investigation in the above matter. Accordingly, permission is accorded to the

DV&AC to conduct further investigation as expeditiously as possible and submit a report before this court within 3 months from the date of this order.

Dictated to Stenographer, transcribed by him, corrected and pronounced by me in the open Court, this the 24th day of July, 2026.

KARTHIKEYAN SHANMUGAM

Digitally signed by KARTHIKEYAN SHANMUGAM

PRINCIPAL SESSIONS JUDGE.