

- => Though as early as November 2002 I realized there may a fraudulent intention to fail me, I did not make any complaint as I did not have any evidence.
- => From incidents happened between Nov 2004 - Oct 2005 I was able to tell that there was some concealed money belong to me existed in TD Canada Trust.
- => First I send a Letter to TD Canada Trust asking explanation for the available evidence.
- => When Bank Failed to give clear explanation for my concerns I Visited Toronto Police Services and tried to make a complaint.

## **POLICE EXPERIENCE**

**Visited 42 Division office of Toronto Police Department.**

**On 242 Milner Avenue.**

**Scarborough ON M1S 5C4**

First Visited on 9th of April 2007; One Senior Police Officer Attended my Complaint. (I failed to get his name.) He listen my complaint carefully and with interest. He informed he is not a specialist in fraud cases. He asked me to come back if have additional information. He gave me some advice regarding my credits.

I visited Court office on Warden and Eglinton and made an Affidavit on 16th April 2007.

Made the second visit on 17th April 2007; Police office Murray Grills [P.C. 3855] attend my complaint. He flatly denied there is anything criminal in my complaint. I have to talk with cooperate or financial lawyer. If anything criminal I have to explain why it is criminal.

>> I made the Civil Claim on 18th of October 2007 at Ontario Civil Court - Toronto <<

Made the Third visit on 30th of November 2007; One Junior Police Officer attended my Complaint. (I failed to get his name.) He may failed to understand the issue. He informed Police Officer may come to work on 6<sup>th</sup> of December 2007.

Visited on 10<sup>th</sup> of December 2007 and left the complaint file with a cover letter to Unit Commander.

According to a telephone call received from Detective Sievers visited on 12<sup>th</sup> of December 2007 and made a complaint. Police Officer Levy (P.C. 9711) recorded the complaint.

**(Fraud Complaint, Occurrence Number # 2529262).**



## Toronto Police Service

40 College Street, Toronto, Ontario, Canada. M5G 2J3  
(416) 808-2222 FAX (416) 808-8202  
Website: [www.TorontoPolice.on.ca](http://www.TorontoPolice.on.ca)



William Blair  
Chief of Police

File Number: .....

**Dear Sir or Madam:**

The attached computer printout is in response to your recent request.

If further information or clarification regarding the attached is required, please contact Information Access directly at (416) 808-8240.

Yours truly,

C. Blair  
Co-Ordinator  
Records Management Services - Information Access

CB/

**Occurrence ID:** 2529262 **Name:** Fraud  
**Assigned to:** D42, Fraud Squad  
**Occurrence Type:** Fraud-Other **Date Range:** Thu 2005.03.31 12:00 - Mon 2006.05.01 13:00  
**Date/Time Reported:** 2007.12.12 09:44 **Initial Investigation:** 2007.12.12 10:30  
**Occurrence Preparing Officer:** #9711 PC4 Levy, D42  
**Occurrence Preparing Date:** 2007.12.12 10:29  
**Occurrence Location:** Ottawa Ontario Canada  
Patrol Area: Unknown. Premise Type: Bank And Other Financial Institutions

**Kiritharan, Gana (Victim) (2007.12.12 12:48)**

1967.09.09 (Age: 40); Male;

**Contact Information:** Telephone Cellular: (416)820-8581  
**Home Address:** 10 Stonehill Court #307, Toronto Ontario Canada M1W 2X8 (2007.12.12 12:48)  
**Victim of Incident:** #1. Fraud-Other - Fraud Over C.C. 380 (2005.03.31 12:00)

**Involved Officers**

99533 PC1 Trovato, D42 Assigned Officer (Occurrence) 2007.12.13 09:40

**Occurrence Synopsis**

SYNOPSIS

On Wednesday December 12, 2007 at 1036 hours the complainant (Gana KIRITHARAN) attended Toronto Police service, 242 Milner Avenue, 42 Division and reported that he was a victim of a fraud.

Gana advised police that in March 2005 he owed the Toronto Dominion Bank (TD) approximately \$11,000.00. In march of the same year, he stopped the monthly payments to his accounts before leaving Canada for India.

He returned to Canada in May 2006 and requested a personal credit history for TD Bank. The credit check stated that he had a zero balance for his TD Line of Credit account and that the account was "closed consumer's request; Line of Credit." Gana stated that he did not pay the \$11,000.00 nor did he close the account.

Gana advised police that an unknown person opened a second unknown chequing account with the Toronto Dominion Bank in his name. He further stated that royalty cheques from his book were deposited into this account and that TD bank used this money to pay for his line of credit. Gana stated that he contacted TD bank but they have denied the existence of this second chequing account and have requested that he pay the outstanding balance on his account.

## **INCIDENTS**

### **#1. Fraud-Other - Fraud Over C.C. 380 (2005.03.31 12:00)**

Date Range: 2005.03.31 12:00~ 2006.05.01 13:00

Status: Departmental discretion

Occurred at, MO Location: Ottawa Ontario Canada (MO Details) (2007.12.12 12:43)

### **Location Information**

Type of Premise: Bank And Other Financial Institutions

21<sup>st</sup> May 2008,

From: Gana Kiritharan,  
307 - 10 StoneHill Court,  
Scarborough ON M1W 2X8  
Tel: 416 820 8581

To: Officer In-charge of Fraud Squad,  
42 Division,  
Toronto Police Services,  
242 Milner Avenue East,  
Toronto ON M1S 5C4.

I, Gana Kiritharan, made a complaint to 42 Division, Toronto Police Services regarding a fraudulent interference into my financial and intellectual life.

Details of the Complaint as Follows:

1. Occurrence ID: 2529262
2. Name: Fraud
3. Assigned to: D42, Fraud Squad

(For more Information, Please see the Police Report)

After few weeks, I received a call from a Police officer explaining that no further investigation can be carried out for following reasons,

1. Opening a Bank account in another person name is impossible in Canada.
2. Whether my Line of Credit is Paid-Off or Written-Off is a Civil Matter between me and the Bank.
3. As the Opening of Account may have happened in Ottawa, it is difficult for him to investigate.

In the Civil case regarding this issue, as TD Canada Trust failed to make disclosure of documents on time, I requested Court intervention and Court issued two Orders for disclosure of documents. Even though TD Canada Trust made disclosure of some documents, the documents produced by the bank failing to answer Key questions in this issue. The Bank says what happened to my Line of Credit is a Write-Off. But the abbreviation used in the account details is "Collection Items". Bank did not provide any document which may lead to the conclusion that Collection Item means Write-Off.

Mean time with the help of some formal financial documents I am able to come to a conclusion what is the meaning of the word "Collection Item". I have given a formal conclusion to the word "Collection Item" through Affidavit of Document 7 Civil.

Based on my Conclusion given in Affidavit of Document 7 Civil, I would like to inform and ask Toronto Police Services following things:

1. The Payer Bank Account (or any other form of an Assert) for the Collection Item is unknown to me. But evidences indicate this Account or Assert is managed in my name. I believe this Account or Assert is made from the payment for my intellectual works. A Group of people opened this Account or Registered this Assert my name but hidden it from my attention with fraudulent intention to fail me Financially and Intellectually.

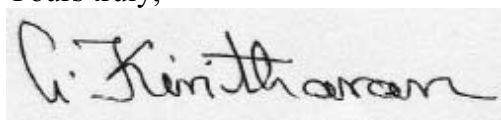
2. This activity may be violation of following Sections of Criminal Code.
  - a. 322: Theft: The Account or Assert was hidden from my attention with intention to deprive my rights to benefit from it temporarily or permanently.
  - b. 341: Fraudulent Concealment: The Account or Assert was hidden from my attention for Fraudulent Purpose.
  - c. 356: Theft from Mail: Payments for my Intellectual Works may have been stolen from my Mail.
  - d. 184: Interception of Communication: My telephone communication may be intercepted with intention to steal my intellectual works.
  - e. 403: Personation: The Account or Assert in my name is managed without my consent with intention to cause disadvantage for me.
3. Based on above two Paragraphs I would like to ask Toronto Police Services to continue the investigation on my complaint and find out and tell me the details of Payer account or assert for Collection Item for my Line of Credit and Checking (Value) Account with TD Canada Trust.
4. As the incident happened is a Fraud with intention to cause damage I feel the final legal instrument which will bring the truth to Victim (me) and to Canadian Public is a Search Warrant.
5. If Toronto Police Department is unable to provide services for my complaint for one or other reason a search warrant in Civil Court though rare but not impossible. In order to convince a Civil Judge to issue a Search Warrant, I will need a letter from Toronto Police Services (or Police Report of my Complaint) which clearly says why further investigation is not carried out. Presently the Police Report of my Complaint says: Status: Departmental Discretion, I do not understand the meaning of it.

In addition to above issue I also like to bring your attention following Issues:

1. An incident of Forgery happened in my Equifax Credit Report Complaint 1 (Criminal) or Affidavit of Document 6 Civil and Affidavit of Document 8 Civil is still not being investigated. I tried to bring it to the attention of Equifax but they failed to address it. Appropriate documents are attached with this letter.
2. The Fraudulent Interference I am experiencing and the delay I have to face in my Legal battle to protect myself from this Fraudulent activity causing Financial Burden beyond my capacity also Stress and Depression. To receive Financial support, Psychological Support and Moral Support I decided to go into Canadian Public regarding this problem. I have mentioned about the Complaint I have made to Toronto Police Services and the reason give by one Police officer for not carrying out further investigation in documents meant for Public. Appropriate documents attached with this letter.

Thank you,

Yours truly,



G Kiritharan.

I did not receive any reply for this letter.

22<sup>nd</sup> August 2008,

From: Gana Kiritharan,  
307 - 10 StoneHill Court,  
Scarborough ON M1W 2X8; Tel: 416 820 8581

To: Unit Commander,  
42 Division, Toronto Police Services,  
242 Milner Avenue East,  
Toronto ON M1S 5C4.

I, Gana Kiritharan, through this letter would like to bring your kind attention of some important information and inform the present situation of a Fraud Complaint (Complaint # 2529262) made at your division.

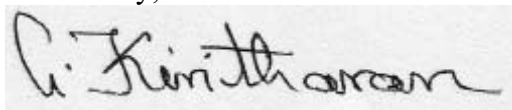
In above complaint I informed Toronto Police Services that I suspect somebody has opened an account in my name in TD Canada Trust and cashed my royalty cheques. I also presented evidences for my suspicion. Later one Police officer called me by telephone and informed me further inquiry will not be conducted because of following reasons.

1. Opening a Bank account in another person name impossible in Canada.
2. Whether my Line of Credit is Paid or Written-Off is a Civil Matter.
3. As Opening of Account may have happened in Ottawa, it is difficult for him to investigate.

Mean time using Civil Procedure I was able to gather enough evidence to confirm that there was an account criminally opened and managed in my name in TD Canada Trust (Please Check the Following Pages). I am preparing to argue a motion (Documents attached with this letter) to get a court order specifically saying to the bank that there was a criminally opened account and ordering the bank to provide complete details of such account. As such court order may bring serious consequences for the bank, they may try maximum to avoid such order. But the choices they have are very limited. **In such a motion If Judge order I may have to summon a Police Officer from your Unit to explain the court the actions taken so far or the reasons for not taking actions regarding my Fraud Complaint. Please let me know whom I suppose to summon in such a situation.**

Mean time I would like to inform that, because of systematic and innovative nature of the Fraud committed into my Royalty payments and concealing and misleading attitude being shown by TD Canada Trust and Apathy is being shown by people responsible for investigating and bringing the truth out when there is a incident of Fraud, started to bring serious damages for my life. **Today my Psychiatrist has diagnosed me with "Delusional Disorder of Persecutory Type" because he thinks my complaints are unlikely to happen.** Even though this could be a mistake because of my Psychiatrist poor common sense in accounting and credit reports, this diagnosis has a serious consequent of becoming obstruction to Justice and what commonly known as Catch 22 Philosophy. If I found any evidence of this diagnosis was used to mislead any body or create obstruction to Justice, then I will bring to the attention of your division through proper affidavit.

Yours truly,



G Kiritharan.

I did not receive any reply for this letter.

4<sup>th</sup> of March 2009.

Gana Kiritharan,  
307 – 10 Stonehill Court,  
Scarborough ON M1W 2X8  
TEL: 416 820 8581

Attorney General of Ontario,  
McMutry-Scott Building  
720 Bay Street, 11<sup>th</sup> Floor  
Toronto ON M5G2K1

RE: Request to Investigate TPS Fraud Complaint Number: 2529262

Dear Mr. Attorney General of Ontario,

I Gana Kiritharan previously brought to your attention of an organized conspiracy I am experiencing into my Intellectual and Financial life. Toronto Police Services Fraud Complaint Number: 2529262, Ontario Attorney General's Mail Response received on 26<sup>th</sup> June 2008, and Canada Attorney General's Email Response Received on 18<sup>th</sup> of September 2008 (Copies of the Documents attached with this letter). My Police Complaint Present Status is "Departmental Discretion". According to the explanation received at the 42 Division Reception, this means my issue is a civil case. Ontario and Canada Attorney Generals in their correspondence informed me that it is a "matter of private nature." Base on this information on 12<sup>th</sup> of November 2008 I moved a motion in Ontario Civil Court summing my evidences and requested the court to declare that there is enough evidence to suspect there was a commission of crime in the accounts managed under my name. But the civil court refused to look into my evidences an order received by me on 17<sup>th</sup> of February 2009 says that Civil Court cannot issue such a relieve and such a relive can only expected from a Criminal court.

This order and the fact that I never authorized any one else to manage my finances lead to a conclusion that, what happened is a criminal conspiracy, not a civil conspiracy. With this letter I am enclosing the evidences to suspect a commission of crime in the accounts managed under my name and the arguments which the civil court failed to look into (Tab 3 & 4).

Also the same Court order says that there is no evidence for a concealed (secret) account in my name in the bank. But this conclusion made with out any proper enquiry into evidence to suspect of such an account. Also I want to express my displeasure the way the Court Officials made an amendment to the Order. When they corrected mistaken use of the word Plaintiff instead of Defendant they just signed under old date of Original Court order or just inserted old signed page of the original court order into the Amended order (Tab 3, Page 4 & 8).

Also as the bank prepared to mislead the court regarding my account details and other banking documents and even after I brought this issue to the attention of the Court, the Civil Court make orders based on such misleading information, I do not feel I will be able to receive the truth through the Civil Court (Tab 1). Only a search warrant under appropriate criminal code will bring out the truth. In my arguments I included necessary common law case reference that a bank can be subject to search and seizure of its books and records under s.429 when it is suspected of a criminal offence (Tab 3 & 7). I also would like to ask you to take proper legal action for their attempt to mislead the court and bring out the documents they are concealing.



Also with much regret I wanted to tell that either because of confusion in the law (Civil Issue or Criminal Issue) or due to mishandling of the matter by Judiciary the issue is now degenerating into a situation I can claim as "Miscarriage of Justice". I would like to ask the appropriate officials to take enough care so that I receive the Justice which I deserve.

Also according to the information gathered during the Civil Procedure, I am enclosing list of name of the documents which may give the account number of concealed (secrete) account with this letter (Tab 2).

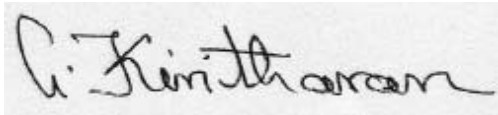
Also during civil procedure bank informed that they send me a letter dated 13<sup>th</sup> July 2007, but I never received this letter. I also experienced some missing letters sent by my Indian publishers while I was in Ottawa, during 2002 – 2003 period. I am enclosing details of these missing mails with this letter (Tab 13).

Also in my previous communications, I received advice from attorney general of Ontario and Canada to apply for legal aid to get lawyers assistance. But my application was turned down by legal aid (Tab 6, Page 287 and 288).

If appropriate, I would like to meet with you or your staff to discuss the further course of action regarding this issue.

Thank You,

Sincerely,

A handwritten signature in black ink, appearing to read "G. Kiritharan", on a light-colored background.

Gana Kiritharan.

Cc: Mr. William Blair,  
Chief of Toronto Police Services,  
40 College Street,  
Toronto ON M5G 2J3

Sup Robert Clarke,  
Unit Commander,  
42 Division of Toronto Police Services,  
242 Milner Avenue East,  
Toronto ON M1S 5C4

**Ministry of the  
Attorney General**

Crown Law Office  
Criminal

Office of the  
Director

McMurtry-Scott Building  
720 Bay Street  
10th Floor  
Toronto ON M5G 2K1

Tel: 416-326-4600  
Fax: 416-326-4656

**Ministère du  
Procureur général**

Bureau des avocats de la  
Couronne  
Droit Criminal

Bureau du directeur

Édifice McMurtry-Scott  
720, rue Bay  
10<sup>e</sup> étage  
Toronto ON M5G 2K1

Tél.: 416-326-4600  
Télé.: 416-326-4656



(416) 326-4570

**Our Reference #: M09-01975**

March 23, 2009

Gana Kiritharan  
10 Stonehill Court, #307  
Scarborough, Ontario  
M1W 2X8

Dear Mr. Kiritharan:

**Re: Request for Legal Assistance Concerning  
Alleged Fraud**

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Thank you for your letter dated March 4, 2009, addressed to the Honourable Mr. Chris Bentley, the Attorney General of Ontario. I have been asked to respond to your letter on behalf of the Ministry of the Attorney General.

In your letter you ask that a "search warrant" be issued pursuant to the *Criminal Code* authorizing the search of bank records. You also ask that "proper legal action" be taken against the bank for their attempt to mislead the court by deliberately concealing banking records. Finally, you ask to "meet with [the Attorney General] or [his] staff to discuss the further course of action" regarding your matter.

While I appreciate your concerns about the management of your financial accounts and your concerns that you have been victimized, the Ministry of the Attorney General is not in any position to assist with your civil lawsuit, nor with the police criminal investigation concerning your allegations that you are the victim of fraud and a "criminal conspiracy".

In your letter, you note that there is evidence to suspect the commission of a crime in the management of your bank accounts by the Toronto Dominion Bank and that the Toronto

Police Service has commenced an investigation as a result of your complaint. Further, the voluminous materials, which accompanied your letter, confirm that you reported your concerns to the 42 Division Fraud Unit of the Toronto Police Service on December 12, 2007.

As a matter of law, police officers exercise their discretion in conducting investigations and laying criminal charges independently of Crown counsel. Accordingly, the Ministry of the Attorney General is *not* in a position to direct the investigation of the suspicious activity you describe, or to gather any evidence in this regard. Rather, these matters, as well as the decision as to whether or not there are grounds to lay criminal charges, rest solely within the discretion of the police.

In your letter you indicate that you were previously advised by a member of the Ministry of the Attorney General to apply for legal aid, but that your application for legal aid has since been denied. In this regard, I note that included in your volume of supporting materials is a letter by Ms. Denise Dwyer, Acting Direct, Crown Law Office – Civil, dated June 26, 2008, providing you with the contact information for Legal Aid Ontario. However, in light of the denial of your request for legal aid, you may wish to contact the Law Society of Upper Canada, which offers a Lawyer Referral Service. For a \$6.00 fee, this service will provide you with the name of a lawyer who will offer up to 30 minutes of free consultation. For more information concerning this service:

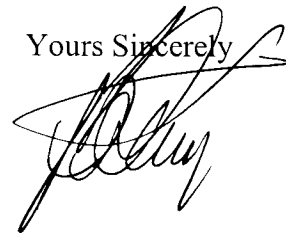
**E-mail:** lawrefer@lsuc.on.ca

**Internet:** www.lsuc.on.ca/public/a/faqs---lawyer-referral-service/

**Toll-free:** 1-900-565-4LRS (4577)

I trust that this information will be of some use to you.

Yours Sincerely



Kenneth L. Campbell  
Director

c.c. Chief William Blair  
Toronto Police Service  
40 College Street  
Toronto, Ontario  
M5G 2J3

**By Fax: (416) 808-8202**

c.c. Supt. Robert Clarke  
Unit Commander, 42 Division  
Toronto Police Service  
242 Milner Avenue  
Toronto, Ontario  
M1S 5C4

***By Fax: (416) 808-4202***