
BLUEPRINTS OF CRIME - MODUS OPERANDI IN THE UNDERWORLD

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ABSTRACT

Organized crime in India has long-standing roots and has evolved into highly organized and secretive operations. This study delves into the “Blueprints of Crime” by examining the detailed strategies and methods, commonly referred to as Modus Operandi, employed by criminal organizations. These groups are involved in a wide range of illegal activities, including drug trafficking, extortion, smuggling, and money laundering. The research highlights how these organizations plan and execute crimes with precision, often aided by political connections and corruption, which help them avoid detection and prosecution. The study focuses on the tactics used by these criminal networks, from recruitment of members to their reliance on advanced technologies, and how law enforcement agencies in India have responded. It also explores the role of the Enforcement Directorate (ED) and other specialized units in cracking down on organized crime, particularly financial crimes. Despite some success, challenges such as corruption, lack of resources, and international coordination remain significant barriers to dismantling these criminal syndicates. In conclusion, the study emphasizes the need for stronger enforcement strategies, anti-corruption measures, and judicial reforms to effectively tackle organized crime. It calls for better coordination between national and international law enforcement agencies and a more robust legal framework to secure timely convictions and disrupt the operations of these criminal organizations. This paper explores over the modus operandi of organized crime for better legislation framing and implementation of the same.

Keywords: organized crime, modus operandi, transnationality, law enforcement, criminal groups

1) INTRODUCTION

The term “BLUE PRINTS OF CRIME” refers to the systematic, well planned and calculated methods used by the criminals to do/execute illegal activities which are barred by law. The organised criminals work in a systematic manner to execute their plans and will maintain a high level of secrecy. The main component of this criminal operations “Modus operandi” is a Latin term which means “ The method of operation” which describes the different methods used by the criminals to involve in these illicit activities by evading the law to gain profits. Organised crime in India is not new, it has deep historical roots which has evolved with the time period according to modern trends of committing crime which includes Illicit drug trafficking, smuggling, extortion, dacoity, etc.¹, The Modus operandi of each group differs according to the type of crime they commit, so it is important for the law enforcement agencies to understand the pattern, prediction of criminal behaviours of these organised criminal groups to develop strategies to dismantle these criminal networks². By analysing the blue prints, it would be easier for the authorities to trace the criminals and better anticipation of future operations of these criminals and mitigate the further criminal activity³.

1.1. Objective of the study:

The main objective of the study is to analyse and explore the Modus operandi of these organised criminal groups in India by focusing on the systematic methods used by these criminal syndicates involving in illegal activities such as smuggling, extortion, human trafficking, drug trafficking, dacoity, money laundering etc,

This study also focuses on the political ties which help these organized criminal groups to develop because without any political and governmental support these criminal groups cannot easily survive. It will also explore the reformations and methods used by police and government to overcome this type of organised crime through strict laws and combating methods⁴.

¹ Adamoli, S., Di Nicola, A., Savona, E.U. and Zoffi, P., 1998. Organised crime around the world.

²Verfaillie, K. and Vander Beken, T., 2008. Proactive policing and the assessment of organised crime. *Policing: An International Journal of Police Strategies & Management*, 31(4), pp.534-552.

³Sinha, M. and Sinha, S., 2005. The Challenge of Organized Crime: Criminal Justice Response. *J. Islamic St. Prac. Int'l L.*, 1, p.19.

⁴Vincenzo Ruggiero & Kazim Khan, *The Organisation of Drug Supply: South Asian Criminal Enterprise in the UK*, 2 Asian Journal of Criminology 163 (2007), <https://link.springer.com/article/10.1007/s11417-007-9036-x> (last visited Oct 6, 2024).

2) Frame work of Modus operandi in Crime

2.1 Importance of Modus of operandi in criminal Investigations

Modus operandi is a very important element in criminal investigation especially with organised crime in India. This refers to the methods or patterns used by the criminals who commit crimes, this helps the law enforcement agencies to identify the tactics, behaviours and strategies that criminal groups employ such as smuggling routes, methods of money laundering, or any other specific strategies.

By studying the modus operandi used by these organised criminal groups, the investigators shall link various crimes done by the same criminal organization even if the crime occur in different places, this understanding is very important for predicting future criminal activities, and to trace the moves of these criminal groups.

In India, organised crime is often intertwined with political corruption and cross-border links which aid in illegal activities, thus understanding the modus of operandi is very important for dismantling these complex networks and targeting the main players behind them. It also helps in identifying, how these criminal syndicates adapt to the changing environment and use the corruption around them to protect their operations.

2.2. Typology of criminal Methods in organised crime

The typology of organised crime is categorised into three types, focusing on the Hierarchical structure, cultural and ethnic connections and economic models. The most important feature of organised crime is their multilevel organised chain of command. The orders are passed form the higher level to the lowest petty criminals in the gang who commit the actual crime if caught, they will take the punishment.

In many situations it will be very difficult for the police to connect the crime to the planner of the crime. because in many situations there will not be any proper evidence, this system is more likely a “Remote control system” in organised crime.

These Organised criminal syndicates use a variety of criminal methods to achieve their objectives such as,

1. Extortion (use of threat and violence),
2. contract killing,
3. Money laundering (to conceal illegal profits),
4. cybercrimes (used mainly for financial fraud and data theft) etc,
5. smuggling (of gold, drugs, animals, humans etc.),

Organised groups also use political corruption to influence administrative and legal process them to coordinate efficiently across different regions, sectors by maintaining a control through use of political power, intimidation violence and bribery⁵.

Let us take organised crime as a business or industry dealing in the supply of good and services which are barred by law, here the crime part is the by product which is necessary to carry on the business profitably, the main aim of this business is to get maximum profits within a shorter period which is not possible in a normal business.

In organised crime everyone should work with peak efficiency and should maintain a high level of discipline for successful execution of their act, this shall be maintained only through a system of either a high reward or harder punishment.

These organised criminal groups use a wide range of tactics to achieve their objective which includes extortion, bribery, violence, threat etc., these organised criminal groups also use advanced technologies such as encrypted messaging applications to communicate & coordinate their activities, understanding these tactics and Modus operandi is a very important for the law enforcement and policy makers in combating these organised criminal groups.

2.3. Modus operandi of organised crime syndicates

These criminal groups execute in a systematic planning to execute their operations successfully, which involve various mode of operation such as information gathering and tracking the victims' activities. These criminal syndicates use insiders of every area to collect

⁵ Organized Crime, Fifth Edition | Office of Justice Programs, Ojp.gov (2024), <https://www.ojp.gov/ncjrs/virtual-library/abstracts/organized-crime-fifth-edition> (last visited Oct 6, 2024).

critical information which include security loopholes, daily routine of the victims/targets, their weak points etc, once this information is gathered, detailed strategies are created, and assigned to different members of criminal syndicates, which includes transportation, logistics and direct-action roles. The execution of these ideas is coordinated with utmost secrecy and planned to manage unexpected happenings.

The use of violence is also a very important feature in organised crime, the criminal groups are equipped with modernised and traditional weapons to maintain a control and intimidation. These criminals also use firearms to eliminate opposition and rivals. In some cases, these criminal groups are engaged in extortion, where business owners /common people are compelled to pay protection money to avoid harm from these criminals, the intimidation also include physical harm to other members of the family, destruction of property which are used to instill fear. These methods ensure that these criminals always maintain a dominance over an area deterring oppositions from both rivals and law enforcement⁶.

2.4. Recruitment of syndicate members and tactics used

These organised criminal groups use a wide range of tactics to recruit members for their gang, the recruitment shall be based on different aspects such as specific technological skills, persons with specific skill set relating to crime, someone with utmost loyalty and their willingness to participate in criminal activities⁷.

The following are some of the recruitment tactics used by the organised criminal groups,

1. Use of threat and Intimidation;

This is one of the very important tactics used by the organised criminal groups to recruit its members, which involve threatening the individuals or their families to make them a member of organised criminal syndicates. For example, a group may threaten a cyber specialist to be a part of that criminal group to make him involve in fraudulent activities using modern technologies.

⁶*The use of violence by organized crime groups*, Home | Europol, https://www.europol.europa.eu/cms/sites/default/files/documents/europol_spotlight_-_the_use_of_violence_by_organised_crime_groups.pdf (last visited Oct. 6, 2024).

⁷Ramesh Balakrishna, *India and the Crime-Terrorism Nexus*, JSTOR (Sept. 2008), <https://www.jstor.org/stable/26487540>.

2. Financial incentives;

This tactic is used by the organised criminal groups by giving financial incentives to the members which include high paying promising positions as well as access to illegal money / funds.

3. Recruiting the most vulnerable population;

These criminal syndicate mostly target the vulnerable population like immigrant workers, persons with financial instability, unemployed youths who need money, persons with addiction etc, the people belonging to vulnerable population would be easily influenced and work for these organised criminal groups to get monetary benefits.

4. Recruiting persons with specific skill set;

These organised criminal syndicates also recruit persons with specific skill sets with criminal proficiency, the skills of the recruited members would be helpful for this criminal gang to escape from the law enforcement agencies without leaving any trace. For example, a hacking criminal group might require its members to have advanced technological skills related to hacking.

5. Persons with loyalty and commitment to work for the criminal syndicate;

The members of every organised gang should be very loyal to the criminal syndicate. Every member in should demonstrate their loyalty this can involve participation of individuals in illegal activities and carrying out the orders given by their head without any questions.

It is very important for the law enforcement agencies to understand the recruitment tactics used by these criminal syndicates to prevent and combat their activities. The main thing about modus operandi is that we can use it to connect different crimes done by the same criminal group⁸

⁸*Modus Operandi in organized crime: Unveiling Criminal Syndicates: Tactics - FasterCapital*, FasterCapital, <https://fastercapital.com/content/Modus-Operandi-in-organized-crime--Unveiling-Criminal-Syndicates--Tactics.html> (last visited Oct. 6, 2024).

3) Global connection and transnational Organised crime

Organised crime in India is not confined within its borders, it is connected worldwide, Indian criminal groups relate to international criminal groups involving in operations which include human trafficking, organ trafficking, drug trafficking, smuggling and money laundering.

The rate of organised crime has been increased after globalization the regional criminal groups collaborate with foreign criminal organizations to expand their network and influence.

One prominent area of transnational organised crime includes drug trafficking, India has become a hub for drug distribution as it is located between the areas of Golden crescent (Iran, Afghanistan, Pakistan) and Golden triangle (Myanmar, Laos, Thailand).

Money laundering operations often involve transfer of illicit funds from nation to another nation through Hawala system, which aids in transfer of funds without any formal banking, making it difficult for the authorities to Trace⁹.

The rise of cybercrime is also a new emerging threat to the government and law enforcement agencies, these crimes were also increasing as numerous groups engaged in internet fraud, hacking, phishing, identity theft etc., the global connectivity makes it difficult for the law enforcement agencies to trace the criminals and their activities as this require coordinated efforts across multiple jurisdictions to dismantle this criminal network¹⁰.

4) Challenges faced by law enforcement agencies

The Indian police, along with intelligence agencies like the Central Bureau of Investigation (CBI) & narcotics Control Bureau (NCB), are super important in fighting organized crime. They have special teams, like the Anti-Terrorism Squads (ATS), that deal with crime linked to terror. The Enforcement Directorate (ED) works on financial crimes & money laundering But, even with all this effort, working together can be tough. Sometimes it makes their work less

⁹ Patel, Rajiv. "Transnational Organized Crime and India's Role in the Global Network." *Journal of Criminology and Law Enforcement*, vol. 6, no. 3, 2017, pp. 189-204.

¹⁰ Basu, Arvind. "Cybercrime and Organized Crime: The Rising Nexus in India." *Indian Journal of Criminal Justice*, vol. 9, no. 1, 2019, pp. 45-62.

effective as the criminal networks works with political support¹¹.

The Narcotics control bureau (NCB) mainly focuses on tracking drug trafficking networks within and beyond India with the help of international organisations like UNODC and Drug Enforcement administration of US¹².

Law enforcement in India has a lot to deal with when it comes to organized crime. Corruption in the police & meddling by politicians often mess up investigations. This lets criminals slip away from justice. Also, not having enough money, outdated technology, & not enough people make things even harder. On top of that, crime gangs usually have loads of cash, so underfunded agencies struggle to keep pace.

India has seen both wins & losses in catching organized crime. A big win was breaking up Dawood Ibrahim's gang after tons of teamwork from Indian & international groups. Sadly, there have been some misses too. For example, the investigation into the Mumbai bomb blasts in 1993 did not result in catching all the criminals because some still hide due to political cover & delays in courts¹³.

5) How Justice Works

Prosecuting Organized Crime in India

When it comes to prosecuting organized crime, India uses several laws like Maharashtra Control of Organised Crime Act (MCOCA) 1999, UAPA, and the Prevention of Money Laundering Act (PMLA). These laws let authorities detain suspects for longer periods & seize their assets. But in real the complicated web of criminal networks makes this process tricky and easy release of the convicts from the ambit of law.

The ED (Enforcement Directorate) also plays a very important role in dismantling the financial infrastructure of organised criminal gangs which mainly focuses on economic offences which include money laundering specially empowered by Prevention of Money Laundering Act (PMLA), ED conducts investigations mainly on suspicious financial transactions, seizes assets

¹¹ Sharma, P. "Law Enforcement and Organized Crime: Role of Indian Intelligence Agencies." *Indian Police Journal*, vol. 54, no. 4, 2020, pp. 77-89.

¹² Lyman, M. D., and Potter, G. W. *Organized Crime*. Pearson, 2014.

¹³ *Law enforcement*, United Nations : Office on Drugs and Crime, <https://www.unodc.org/unodc/en/organized-crime/law-enforcement.html> (last visited Oct. 6, 2024).

and traces illegal transactions made through foreign accounts and shell companies¹⁴. This includes notable cases such as Nirav Modi and Vijay Mallya which highlights the ED's effectiveness in uncovering complex financial trails that support illicit activities.

Getting convictions is hard in our country especially in organised crime. One big issue is lacking solid evidence, especially when witnesses may be scared into silence because the criminal syndicates are very dangerous and have a well organised gang. Plus, political power can mess up trials and long court cases mean it takes forever to see justice served. Not to mention that these crime groups have tons of money to hire the best lawyers, which can stall or stop cases entirely. Another significant hurdle is the complexity of organised crime is the complexity of organised crime, the organised criminal groups are connected across borders which is a complex task to gather evidence or to make arrests of the criminals.

The cooperation between enforcement agencies both within India and across borders are bogged down by bureaucratic obstacles. As it requires cooperation between different countries to track a criminal activity, overlapping jurisdictions, lack of information sharing, and varying legal protocols which complicates the further investigations.

Recommendations for tackling organised crime¹⁵;

1. Strengthening law enforcement bodies;

The government should aid police and investigation agencies to learn and implement latest technologies and training, which includes monitoring encrypted communications of the criminal syndicates, forensic accounting to trace money laundering and hawala transactions, experts in cybercrime etc, these training programs for law enforcement officers will improve their ability to deal with the organised criminal groups easily.

2. Anti-cooperation measures;

The loopholes in government, corrupted politicians and officers play an important role in

¹⁴INTERPOL-coordinated operation combats organized crime in Asia-Pacific, INTERPOL | The International Criminal Police Organization, <https://www.interpol.int/en/News-and-Events/News/2022/INTERPOL-coordinated-operation-combats-organized-crime-in-Asia-Pacific> (last visited Oct. 6, 2024).

¹⁵ INTERPOL-coordinated operation combats organized crime in Asia-Pacific, INTERPOL | The International Criminal Police Organization, <https://www.interpol.int/en/News-and-Events/News/2022/INTERPOL-coordinated-operation-combats-organized-crime-in-Asia-Pacific> (last visited Oct. 6, 2024).

helping these criminal syndicates so establishing independent anti-corruption units within law enforcement, along with laws to punish corrupt officials, will reduce the rates of corruption and deter the influence of organised crime in governance.

3. International cooperation;

Organised crimes are not limited within a particular geographical region, they are connected globally so, India must strengthen its relationships with international law enforcement agencies which include intelligence sharing, extradition treaties and coordinated operations with other countries will help in dismantling these criminal groups.

4. Judicial Reforms;

Securing convictions in organised crimes cases is lengthy and difficult process, so it is essential to reform streamlining trials, establishing special courts for organised crime and it is very important to ensure the safety of witness during and after the trial for improving the conviction rates.

6) Conclusion

Addressing organised crime requires a holistic approach which not only punishes the offenders but it also aims to reduce the situations which lead these syndicates to thrive. Awareness among the public, stronger international cooperation, strict laws would create an environment with less crime rates. Thus, there is a need for comprehensive reforms in judicial system to streamline trials and secure convictions in a timely manner will serve as an instrument to clutter the criminal networks.