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INVESTIGATION

The great Indian idol robbery



Show Caption

The arrest of the Indian American art dealer Subash Chandra Kapoor in Tamil Nadu in 2012 and the subsequent investigations by the Idol Wing of the State police unravel a global network of “agents, thieves and smugglers” that targets ageless artefacts in disused and dilapidated temples. By R.

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IN 2006, a Kerala Police team investigating the theft of a “Maragatha (emerald) Lingam” from a temple in Kaladi near Kochi picked up two small-time thieves from Tamil Nadu for questioning. The duo denied their role in the theft but let it out that they had stolen a few bronze idols from temples in and around Jayamkondam in Tamil Nadu’s Ariyalur district. The Kerala Police promptly handed them over to the Idol Wing of the Criminal Investigation Department (CID) of the Tamil Nadu Police, which was looking into a series of thefts from temples in the State.

The Tamil Nadu Police were shocked and surprised by what the petty thieves told them. The information put them on the trail of an international network of idol smugglers—a trail that ran from an obscure village near Jayamkondam to Madison Avenue in New York, where Subash Chandra Kapoor, an international art dealer owns an art gallery. Among the long list of visitors to his gallery, Kapoor claims, were icons such as The Beatles’ John Lennon.

However, Federal agencies in the United States have chosen to profile Kapoor, a 64-year-old Indian-born American citizen, as “one of the most prolific antiquities smugglers in the world since 1974”. How he became one is the story of a carefully calculated charm offensive that involved, among other things, the donation of rare artefacts to museums around the world, including those in Iran and Pakistan.

The Toledo Museum of Art in Ohio in the U.S. counts him among its leading donors and “saluted” him in 2007 for his generosity; he had gifted valuables worth \$250,000 to \$499,999 to it over a period of time. It is such subtle marketing that made him a much-sought-after art dealer in the West.

Thieves such as the two held by the Kerala Police were a part of the network that “acquired” the artefacts, which eventually found their way into private collections and art museums. In fact, the thieves led the Tamil Nadu Idol Wing to the Sri Brahadeeshwarar temple in Sripuranthan village near Jayamkondam and the Sri Varadaraja Perumal temple in Suthamalli village, not far from Sripuranthan. The former had lost eight 11th century Chola idols and the latter 20 bronzes dating to the 11th century. In fact, the Varadaraja Perumal temple also had bronzes from the nearby Sundareshwarar temple. The idols had been brought there for safe-keeping.

The two Chola-period temples are managed by the Hindu Religious and Charitable Endowment (HR & CE) Board of the Tamil Nadu government and they lie in ruins today. The Board is in charge of administering 36,451 temples, many of which date back to a distant past.

The Idol Wing’s status report on the missing idols at the Brahadeeshwarar temple was dated August 22, 2008, and that on the bronzes at the Varadaraja Perumal temple was dated April 14, 2008. But the Idol Wing states candidly that no one knows when the thefts actually took place and surmises that they could have happened between 1984 and 2008.

Ironically, the HR & CE Board was unaware of the burglaries from the two temples until the Idol Wing alerted it (see box). The Board’s executive officer in Ariyalur, under whose jurisdiction the temples fall, did not have any documented evidence —photographs, videos or anything else—on the stolen idols, which were valued at several crore rupees in the international art market.

“Our investigation led us from Ariyalur to America and Germany. Kapoor was an internationally known art dealer and was detained and extradited from Germany following our alert to Interpol. It issued a Red Corner Notice [international arrest warrant] against him on April 26, 2011,” said A.G. Ponn Manickavel, Deputy Inspector General (DIG), Idol Wing CID, who is heading the investigation.

The Red Corner Notice declared Kapoor a fugitive and called him an “antique smuggler [who] runs a museum”. He, it said, entered into a criminal conspiracy with Sanjivi Ashokan, the other accused Indian, to commit the offence of idol theft from ancient temples in Tamil

Nadu. It stated that in 2008 he smuggled out a few idols to Union Link Movers (HK) Limited, Hong Kong, by sea after clearing the customs check in Chennai showing them as “handicrafts articles” and re-shipped them to his friend Neil Perry Smith in the United Kingdom. “The fugitive has violated the criminal law of India,” it said. Whether the idols from the Sripuranthan and Suthamalli temples were part of the consignment is not clearly mentioned in the notice.

It added that at the time of the international alert the prime accused faced five search warrants, one seizure warrant and three administrative seizures. One of the searches of his New York gallery, the notice stated, found one bronze idol (not named) from India and a consignment of 200 pieces of cultural property estimated to be worth around \$15 million. A notable item was a Buddha statue weighing 1,600 lbs (726 kilograms).

Kapoor was arrested in October 2011 at Frankfurt International Airport when, as he told *Frontline* on the premises of the Jayamkondam Sessions Court, he was on a “business-cum-tourism” trip. He was brought to India on July 12, 2012, and produced immediately before the Jayamkondam court in connection with the Suthamalli Varadaraja Perumal temple case, in which he is the first accused. The court remanded him in judicial custody at the Central Prison in Puzhal outside Chennai.

Kapoor told *Frontline* that he had been framed by the Tamil Nadu Police. “When I buy artefacts I get certificates vouchsafing their antiquity and ownership from sellers. It is based on faith. One has to be sure of their origin and genuineness while buying. But it is not my responsibility to prove after the sale transaction is over,” he told *Frontline* (see interview).

Major breakthrough

The Idol Wing sees his arrest and extradition as a major breakthrough in its relentless pursuit of a highly organised international syndicate of idol smugglers that has targeted invaluable artefacts in disused and dilapidated temples in Tamil Nadu. The 12-member team, including a Deputy Superintendent of Police (DSP), inspectors and a head constable and constables, has battled heavy odds while seeking the coordination of Interpol, various agencies in the country and agencies in the U.S. and Germany to gather “clinching evidence”, as Manickavel put it, in the cases against Kapoor and his men. The sanctioned strength of the Idol Wing is 29 personnel of various ranks. “My team is small and inadequately equipped to handle a crime of such mega proportions. We have to seek the assistance of Union Ministries of External Affairs and Home and our counterparts in America, Australia and Germany,” Manickavel said.

Right now, first information reports (FIRs) have been filed against Kapoor and other persons by the Idol Wing in three cases of theft—bronzes from the Suthamalli and Sripuranthan temples and a stone sculpture from the Vriddhachalam temple. The Vriddhachalam case was registered 11 years after the incident because the HR & CE Board had not informed the police, the DIG said. Apparently, the HR & CE Board had no information on the theft for all those years.

While the trial in the Suthamalli case is under way in the Jayamkondam court, the Idol Wing has dispatched two Letters Rogatory, one to Germany seeking permission to try him in the Sripuranthan Brahadeeshwarar temple case in which he is the 12th accused, and the other to Australia, where idols resembling the stolen Suthamalli temple bronzes were reportedly found in the National Gallery of Australia in Canberra. A Letter Rogatory has also been sent to Singapore to retrieve from the Asian Civilisations Museum there an 11th century bronze sculpture of Uma Parameshwari.

While a response to the LRs, sent in September 2013, is awaited, Kapoor has filed a spate of petitions in the Madras High Court and the Jayamkondam court in an obvious attempt to delay the legal proceedings against him. On his demand, a panel of doctors examined him since he claimed that he was suffering from prostate cancer. “But the panel cleared him of any serious ailment. His medical condition, as far as we know, is reported to be normal, which the court has taken note of by dismissing his petitions,” the DIG said.

Kapoor’s rise and fall

Kapoor, a divorcee, migrated to New York from Jalandhar in Punjab in 1976. Since then he has been dealing in ancient art pieces; his father Parshotam Ram Kapoor, who moved to India from Lahore during Partition, was a dealer in old books. Kapoor’s brother, Ramesh, is also in the art business though he has not attracted any adverse reports.

Kapoor’s personal gallery, Art of The Past, is located at No. 1242 Madison Avenue, New York, a posh locality where his Nimbus Import Export Inc. is also situated. He has also leased the Sophia Self Storage Centre on West 83rd Street in New York.

Police records show that he had an extensive network of collectors, curators and dealers in art in Singapore, Malaysia, Indonesia, Hong Kong, Cambodia, Thailand, Vietnam, Sri Lanka, Australia, Belgium, England, Germany, Afghanistan and Pakistan.

He emerged as a leading antique seller in the 1980s and seemed to have a trouble-free run in India until 2007 when the Central government, on the basis of intelligence inputs, alerted the Homeland Security Investigation (HSI) of the U.S. Immigration and Customs Enforcement (ICE) about a shipment of stolen antique idols sent to Kapoor’s Nimbus Inc.

A confidential report from the HSI, to which *Frontline* had access, stated that Kapoor was under close surveillance after the Indian government, in February 2007, alerted the HSI about a shipment of seven crates to Nimbus Inc. under the label “Marbles Garden Table Set”. The HSI strongly believed that it contained stolen antiques.

In March 2007, the HSI, following searches of Kapoor’s art gallery and other establishments, seized a few artefacts and questioned him about the shipment. But Kapoor preferred to abandon the merchandise, which remains with the HSI to date. Sometime in 2009 the Tamil Nadu Police uploaded the available photographs of a few stolen idols on their website (www.tneow.gov.in) and detailed Kapoor’s alleged involvement in the thefts.

The HSI’s seizure included three Chola bronze idols—Parvathi (valued at \$2.5 million) and Sivagami Amman and Murugan—from a storage facility owned by Kapoor. “It appears all three pieces could be seen in the Idol Wing CID’s website and on Interpol’s ‘Stolen Works of Art’ database list. The investigation revealed that he had created false provenances to disguise the histories of the illicit antiquities,” said a HSI spokesperson. Following these series of searches and seizures, the HSI laid a virtual charge sheet against Kapoor for smuggling and trafficking in stolen properties and for wire fraud.

The U.S. police interrogated his office manager Jennifer M. Moore on October 21, 2011, and Selina Mohammed, said to be his associate, on March 27, 2012, with regard to his business transactions.

In December 2012, the HSI, in cooperation with U.S. Customs and Border Protection (CBP), seized five more bronze statues from the port of Newark, all of them listed as “cultural properties of India” in Interpol’s list of “Stolen Works of Art”, the consignee being Nimbus. These idols ought to have reached U.S. shores in 2011. One of the seized idols apparently resembled an idol that was among the lot stolen from the Suthamalli and Sripuranthan temples.

A New York datelined report of December 6, 2012, from PTI, quoting a top-ranking HSI official, stated that the HSI would “work in tandem with Government of India to bring Kapoor to justice and return the art goods in question to their rightful owners”.

The HSI has now sought the Indian government’s help to repatriate him to the U.S. to face the charges brought against him. “We have

told them that we will hand him over after the completion of his engagement with the Indian criminal law,” Manickavel said.

The method

Kapoor's *modus operandi* was simple. The police said he would prepare replicas of stolen pieces and after packing them with originals, ship them. The stolen idols were exported to Nimbus Inc. in New York from Chennai. He usually shipped them through Hong Kong, where he had a close female associate, or Dubai. The idols would have all the legal documents required to escape any hostile monitoring. He could obtain verification certificates even from the Department of Handicrafts, Government of India. It had certified one set of stolen idols as “modern Indian handmade artistic handicrafts”.

He was cautious and meticulous in his planning and avoided any direct involvement of any of his firms, effectively concealing the landing spots, and operated only through middlemen. But in the 2007 instance, his Tamil Nadu accomplice, Ashokan, made a direct despatch to his Nimbus Inc. office in New York via Hong Kong. It was a slip that proved costly for Kapoor.

The Idol Wing claimed that he had paid Ashokan the equivalent of Rs.1.16 crore in dollars for 18 idols stolen from the Sripuranthan and Suthamalli temples, mainly through a multinational bank. “In fact, he even gifted two SUVs to Ashokan, who was the mastermind behind the idol thefts in Tamil Nadu and Kerala,” Manickavel said.

The Idol Wing said it had documentary evidence to show that he stayed in a Chennai star hotel between 2005 and 2006 by furnishing false details about him and a fake address. “Here he met Ashokan to hatch the conspiracy to steal idols and even fabricated provenances. Unfortunately, to settle the hotel bills he used his credit card. “This slip gave him away,” said DSP Ashok Natarajan, who has been specially assigned to the Idol Wing to handle this case.

Besides the relevant shipping bills, hotel bills, courier receipts and customs records, the police also had evidence to show that he sold three Nataraja idols belonging to different temples in the State—one for \$8.5 million, another for \$5.5 million and the third for \$3.5 million—to international purchasers at different periods of time.

The Idol Wing is also in the possession of a number of bank documents that pointed to heavy transaction of money between his New York gallery account and Ashokan's account in 2005, 2006, 2007 and 2008, suggesting that the duo had been indulging in the clandestine activity for long. The catalogues of the Art of The Past gallery also had photographs of a few stolen idols to promote their sale.

Idol Wing's investigation

But the police face a plethora of formalities and other hurdles to a smooth investigation. For a start, the HR & CE Board is of little help since it does not possess any documentary evidence. The police had to depend on a few photographs available with the Institut Français de Pondichéry, or the French Institute of Pondicherry, in Puducherry.

The institute, established under the joint supervision of the French Ministry of Foreign and European Affairs (MAEE) and the French National Centre for Scientific Research (CNRS), has been involved in creating a database of rare antiquities, including bronze and other icons of the temples in Tamil Nadu. It had photographs of a few bronze idols that were stolen from the Sripuranthan and Suthamalli temples. “The photographs from the French Institute, which we uploaded on our website, have helped us get cooperation from all quarters to ensnare an international smuggler,” Manickavel said.

But beyond the police investigation, and even aiding it, is the proactive role of a host of new-generation bloggers on the Internet. Their vast network of information on antique idols from curators, historians, journalists and investigation agencies across the globe has provided significant inputs to the police on the antique loot in Tamil Nadu's temples and elsewhere (see box).

Australian response

The Idol Wing's tenacious pursuance of the investigation has started paying dividends. “The National Gallery of Australia in Canberra has informed us that they are in possession of two Nataraja idols. We have identified them as the ones from the Sripuranthan and Suthamalli temples. Besides, another idol, Thaniamman alias Parvathi, from the Suthamalli temple has been traced to a private collector in Brussels in Belgium,” the DIG said.

The gallery has also released provenances of the 21 objects that Kapoor sold them. They were found to be dubious. The management acknowledged that it could have been “a possible victim of fraud” though it has yet to have “conclusive evidence”. This has perhaps brought Kapoor and his business under the shade of shame and suspicion for the first time.

The Idol Wing police said some of the idols seized in Kapoor's warehouse and gallery and those that were found in the museums in Singapore and Australia have a striking resemblance to those that were stolen from the Sripuranthan and Suthamalli temples and from a temple in Vriddhachalam in Cuddalore district. “The Idol Wing, however, is following all legal formalities to bring them back to Tamil Nadu. The charges against Kapoor and his accomplices will be further strengthened once we receive the idols,” Manickavel said.

Panic in Madison Avenue

Meanwhile, in Madison Avenue, panic set in. On October 7, 2013, Kapoor's sister, Sushma Sareen, was charged by the Manhattan District Attorney with attempting to hide from Federal agents four stolen bronze idols worth \$14.5 million. Sushma Sareen denied the charge. A report said that with Kapoor in an Indian prison, Sushma Sareen, along with his daughter Mamta Kapoor, had taken over the business.

But the worst perhaps for Kapoor happened on December 5, 2013, when Aaron M. Freedman, who managed his gallery for more than a decade, pleaded guilty to six criminal charges—all related to trafficking in stolen artefacts. According to Federal agents, Freedman helped Kapoor manage a global network of agents, thieves and smugglers. This turn is one more sign that Kapoor's multibillion dollar art empire is on its last legs.

Kapoor seems to have before him a long-drawn-out legal battle in India, the U.S. and Australia. Rarely in the history of Tamil Nadu police crime busting has a wanted international art dealer been caught. Since the recovery of the Nataraja statue of the Sivapuram temple in Thanjavur from the Norton Simon Foundation in 1976, after its loss in 1956, no serious idol theft has been reported from the State.

Though the Indian police have netted a few major idol thieves, such as the Jaipur-based trader Vaman Ghiya in 2004, they cannot claim to have got any with Kapoor's meticulous organisational skills. The elusive fugitive whisked out a few rare artefacts from Afghanistan when the war there was at its peak. “The past 35 years have been a great journey,” he wrote in his introductory note for the 2011 gallery catalogue. He even boasted how he survived in the highly competitive art market of the West as a young art lover in the 1970s. The “great journey” does seem to have come to an end.

